

Five-Year Review Report

Third Five-Year Review Report

for

Del Norte Pesticide Storage Area

Crescent City

Del Norte County, California

June, 2010

PREPARED BY:

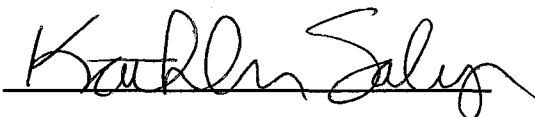
United States Environmental Protection Agency

Region IX

San Francisco, California

Approved by:

Date:



Kathleen Salyer, Assistant Director
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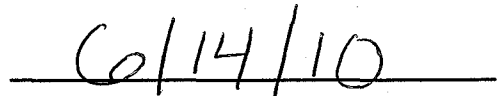


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List of Acronyms

1,2-DCP	1,2- Dichloropropane
2,4-D	2,4- Dichlorophenoxyacetic acid
µg/l	micrograms per liter, also pbb (see below)
AOC	Administrative Order on Consent
ARARs	Applicable or Relevant and Appropriate Requirements
CCR	Code of California Regulations
CD	Consent Decree
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIC	Community Involvement Coordinator
DHS	California Department of Health Services, currently Department of Public Health
DTSC	California Department of Toxic Substances Control
EPA	Environmental Protection Agency
ERCS	Emergency Response Contract Services
ESD	Explanation of Significant Differences
gpm	gallons per minute
IC	Institutional Control
MCLs	Maximum Contaminant Levels
N/A	Not Applicable
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NCRWQCB	North Coast Regional Water Quality Control Board
NPL	National Priorities List
O&M	Operations and Maintenance
OSC	On Scene Coordinator
OU	Operable Unit
P&T	Pump and Treat
PCOR	Preliminary Closeout Report
ppb	parts per billion
RA	Remedial Action
RAO	Remedial Action Objective, cleanup level
RCRA	Resource Conservation and Recovery Act
RD	Remedial Design
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision
SARA	Superfund Amendments and Reauthorization Act of 1986
RPM	Remedial Project Manager
SSC	State Superfund Contract
TI	Technical Impracticability
VOCs	Volatile Organic Compounds

Executive Summary

This is the third Five-Year Review of the Del Norte County Pesticide Storage Area Superfund Site (Site) in Crescent City, Del Norte County, California. The purpose of this Five-Year Review is to review information from the previous five years to assess the nature of any contamination left on-site and determine whether or not the remedy remains protective of human health and the environment.

The August 29, 2000 Amendment to the Record of Decision (ROD Amendment) concluded that it was technically impracticable to remediate the groundwater plume to cleanup goals. A pump and treat system that had been operating for approximately seven years was no longer effective at reducing concentrations of the contaminant 1,2-Dichloropropane (1,2-DCP), and monitoring data showed that 1,2-DCP levels remained stable whether or not the system was operating.

Groundwater monitoring data since the second Five-Year Review confirm that the Remedial Action Objective (RAO) of containment of the groundwater plume continues to be met. The current array of monitoring wells provides adequate assurance of no significant contaminant migration. The U.S. Environmental Protection Agency (EPA) tasked the Army Corps of Engineers with conducting a rigorous statistical analysis of the groundwater monitoring data since the active treatment was ended in 1997. These analyses show that the concentration of 1,2-DCP in only one monitoring well within the plume area exceeds the Maximum Contaminant Level (MCL) of 5 micrograms per liter ($\mu\text{g/l}$). The concentration is stable within a relatively narrow range. This MCL is an ARAR that was indentified and waived as an RAO in the 2000 ROD Amendment.

Exposure to the remaining on-site 1,2-DCP contamination is being adequately controlled by formal land use restrictions on the appropriate parcels and by policies of the Del Norte County Department of Health and Social Services and Community Development Department. In accordance with the ROD Amendment and a Consent Decree (CD) between EPA, the California Department of Toxic Substances Control (DTSC), and Del Norte County, a Covenant to Restrict Use of Property was recorded with Del Norte County on July 31, 2002 to further limit exposure to 1,2-DCP. On March 20, 2007 a revised Covenant was recorded to include both parcels of the Site: parcels #120-020-36 and #110-010-22. As part of the current Five-Year Review, it was confirmed that the Covenant is recorded on both parcels.

The remedy at the Del Norte Pesticide Storage Area currently protects human health and the environment because there is no current exposure to the contamination that remains at the Site. A Land Use Covenant to Restrict Use of Property was recorded for both parcels in 2007, and a title search confirmed that this institutional control is in place and effective to ensure long-term protectiveness.

Five-Year Review Summary Form

SITE IDENTIFICATION		
Site name (from WasteLAN): Del Norte Pesticide Storage Area		
EPA ID (from WasteLAN): CAD000626176		
Region: IX	State: CA	City/County: Crescent City/ Del Norte
SITE STATUS		
NPL status: <input type="checkbox"/> Final <input checked="" type="checkbox"/> Deleted <input type="checkbox"/> Other (specify)		
Remediation status (choose all that apply): <input type="checkbox"/> Under Construction <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Complete		
Multiple OUs?* <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Construction completion date: 06 / 18 / 1992	
Has site been put into reuse? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (Continued use of property by Del Norte County)		
REVIEW STATUS		
Lead agency: <input checked="" type="checkbox"/> EPA <input type="checkbox"/> State <input type="checkbox"/> Tribe <input type="checkbox"/> Other Federal Agency _____		
Author name: Kevin Mayer		
Author title: RPM	Author affiliation: USEPA	
Review period: 10/01/2009 to 5/27/2010		
Date(s) of site inspection: 10/26/2009		
Type of review: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input checked="" type="checkbox"/> Post-SARA <input type="checkbox"/> Pre-SARA <input type="checkbox"/> NPL-Removal only </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Non-NPL Remedial Action Site <input type="checkbox"/> NPL State/Tribe-lead </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Regional Discretion </div>		
Review number: <input type="checkbox"/> 1 (first) <input type="checkbox"/> 2 (second) <input checked="" type="checkbox"/> 3 (third) <input type="checkbox"/> Other (specify) _____		
Triggering action: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Actual RA Onsite Construction at OU #_____ <input type="checkbox"/> Actual RA Start at OU#_____ </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Construction Completion <input checked="" type="checkbox"/> Previous Five-Year Review Report </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Other (specify) Change in land use plans. Consideration of updated toxicity information. </div>		
Triggering action date (from WasteLAN): September 8, 2005		
Due date (five years after triggering action date): September 8, 2010		

Five-Year Review Summary Form, cont'd.

Issues:

There are no issues that affect protectiveness. All required Land Use Restrictions and other ICs are now fully in place.

Recommendations and Follow-up Actions:

There are no recommendations or follow-up actions needed.

Protectiveness Statement(s):

The remedy at the Del Norte Pesticide Storage Area currently protects human health and the environment because there is no current exposure to the contamination that remains at the Site. A Land Use Covenant to Restrict Use of Property was recorded for both parcels of the single Operable Unit in 2007, and a title search confirmed that this institutional control is in place and effective to ensure long-term protectiveness.

The monitoring data confirm that the RAO of containment of the groundwater plume continues to be met. The current array of monitoring wells provides adequate assurance of no significant contaminant migration.

The plume has been stable since the groundwater treatment system was shut down in October 1997. Statistical analyses of the monitoring results since 1997 show that the concentration of 1,2-DCP exceeded the MCL of 5 µg/l in only one monitoring well and has remained stable over the last few years after declining gradually. This MCL is an ARAR that was indentified and waived as a Remedial Action Objective (RAO) in the 2000 ROD Amendment.

Ecological risks from the contaminated ground water are considered insignificant due to no complete exposure pathway to ecological receptors.

1. Introduction

The purpose of a Five-Year Review is to determine whether the remedy at a site is protective of human health and the environment. The methods, findings, and conclusions of reviews are documented in Five-Year Review Reports. In addition, Five-Year Review Reports identify issues found during the review, if any, and recommendations to address them.

The Agency is preparing this Five-Year Review pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). CERCLA §121 states:

If the President selects a remedial action that results in any hazardous substances, pollutants, or contaminants remaining at the site, the President shall review such remedial action no less often than each five years after the initiation of such remedial action to assure that human health and the environment are being protected by the remedial action being implemented. In addition, if upon such review it is the judgment of the President that action is appropriate at such site in accordance with section 104 or 106, the President shall take or require such action. The President shall report to the Congress a list of facilities for which such review is required, the results of all such reviews, and any actions taken as a result of such reviews.

The agency interpreted this requirement further in the NCP. 40 CFR §300.430(f)(ii) states:

If a remedial action is selected that results in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, the lead agency shall review such action no less often than every five years after the initiation of the selected remedial action.

EPA Region IX in collaboration with California Department of Toxic Substances Control (DTSC) has conducted a Five-Year Review of the remedial actions implemented at the Del Norte Pesticide Storage Area Superfund site (Site) in Crescent City, Del Norte County, California. The entire Site comprises one Operable Unit (OU). This review was conducted from October 2009 through May 2010. This report documents the results of the review.

The August 29, 2000 Amendment to the Record of Decision (ROD Amendment) altered the remedy originally selected in the September 30, 1985 Record of Decision (ROD). As a result of the ROD Amendment, hazardous substances, pollutants, or contaminants were left on-site at levels that would prohibit unlimited use and unrestricted exposure. This Five-Year Review is therefore required by statute because the remedy now allows contaminant levels in groundwater to exceed the Maximum Contaminant Level (MCL) indefinitely. This is the third Five-Year Review for the Site. The triggering action for this statutory review is the signature date September 8, 2005, of the previous Five-Year Review Report, as shown in EPA's WasteLAN database.

2. Site Chronology

Table 1 lists the chronology of events for the Site.

Table 1: Chronology of Site Events

Event	Date
Operation of the Del Norte Pesticide Storage Area	1970-1981
Initial discovery of problem by NCRWQCB	08/13/1981
EPA inspection reveals RCRA violations	09/25/1981
Cleanup and Abatement Order No. 81.213 issued by NCRWQCB	10/1981
DHS collects on-site soil samples	12/1981
Removal of 1,150 containers from the Site	01/1982
Shipment of 440 contaminated barrels to licensed recycler	04/1982
Final NPL listing	09/21/1984
Remedial Investigation/Feasibility Study complete	05/1985
ROD signature	09/30/1985
Removal of 290 cubic yards of contaminated soil	08/1987
RD complete	04/20/1988
EPA ascertains on-site chromium is naturally occurring	1985-1987
U.S. Army Corps of Engineers contracted to design Pump & Treat (P&T) system	05/1989
ESD (for presence of natural chromium)	09/21/1989
Construction of P&T system begins	10/25/1989
P&T system completed and operational	04/1990
DTSC assumes cost for 50% of RA under SSC	04/23/1990
PCOR/Construction Completion	06/18/1992
P&T system shut off when contaminant concentrations stabilize	10/1997
AOC for cost recovery	05/11/1998
ROD Amendment signature	08/29/2000
First Five-Year Review	09/26/2000
CD entered by Court	03/06/2002
Final Close-out Report	07/19/2002
Deletion from NPL	09/18/2002
Covenant to Restrict Use of Property Recorded with County	07/31/2002
Second Five-Year Review	09/08/2005
Corrected Covenant to Restrict Use of Property Recorded with County	03/20/2007
Third Five-Year Review due	09/08/2010

3. Background

Physical Characteristics

The Site, located approximately one mile northwest of Crescent City, California, consists of less than one acre of land contaminated with a variety of herbicides, pesticides, and other compounds. The Site is located in a rural area immediately south of McNamara Field, the airport that serves Del Norte County (See Figure 1). The Site lies within the 20-acre Jack McNamara parcel, which is comprised of County Assessor parcel #110-010-22 and parcel #120-020-36 (See Figure 2).

According to the California Department of Finance, the population of Del Norte County was 27,507 in 2000. By 2020, the population is expected to increase to 39,000. In 2000, the population of Crescent City was estimated to be 7,347 (including the population of Pelican Bay State Prison). In 1999, EPA estimated that 800 persons live within one mile of the Site.

Land and Resource Use

Since its closure in 1981, the Site has been fenced, locked, and posted with a public notice stating that hazardous substances may be present. The Site is encompassed by approximately 480 acres of County-owned property, predominantly used as a public airport. The County property is bounded by State-owned land which is intended for use as a natural and recreational area to the north; by Washington Boulevard and farmland to the south; by Riverside Drive and residences to the east; and the Pacific Ocean to the west. The Del Norte County Agriculture Department office and related facilities are currently located within the Site.

The groundwater at the Site is relatively shallow and fluctuates with seasonal and annual precipitation patterns. The direction of groundwater flow in the shallow aquifer is toward the southeast, although rate of groundwater flow is relatively slow due to the gradient and transmissivity of this portion of the aquifer. During the October 2010 site inspection, the water level in drainage ditches at the Site indicated the water table was approximately 3 to 4 feet below the grade level. These ditches are upgradient of the plume area. Since the airport and on-site County Agriculture Department facilities are using municipal water, the underlying groundwater aquifer within one quarter of a mile of the Site is not used as a drinking water source. The nearest residence is a single-family farmhouse to the south of the site more than one-quarter mile from the plume. The nearest multi-family residences, the Seawood Apartments, are one mile to the east of the site.

It appears that the land uses of the Site and surrounding area are essentially the same as they were during the second Five-Year Review in 2005. The General Plan and Zoning Maps for the Site property indicate that part of the Site property is zoned for manufacturing and industrial uses and the remainder of the Site is zoned for resource conservation. As in 2005, the Humane Society building near Washington Street on the Site property is in disrepair and is no longer being utilized.

Regarding future land use, Del Norte County had considered expansion of the county airport and airport-related facilities, resulting in relocation of county facilities from the Jack McNamara parcel and possible removal of some homes on Riverside Drive. The County Department of Health and Human Services had been involved in early planning stages, but due to current economic conditions this development has been postponed indefinitely. It is anticipated that present land uses of the Site and surrounding area will continue into the future.

History of Contamination

In December 1969, Del Norte County notified the North Coast Regional Water Quality Control Board (NCRWQCB) of the County's intent to operate a pesticide container storage area. The County requested operating advice and approval from the NCRWQCB, and in January 1970, the NCRWQCB responded with suggested operating procedures and additional information requests regarding the planned facility. During 1970, the Del Norte Pesticide Storage Area was designated by the NCRWQCB as a Class II-2 disposal site. It was intended to serve as a countywide collection point for interim or emergency storage of pesticide containers generated by local agricultural and forestry-related industries. The NCRWQCB approved the operation of the Del Norte Pesticide Storage Area provided that all containers were triple-rinsed and punctured prior to arrival at the facility.

The Del Norte Pesticide Storage Area operated from 1970-1981. In the fall of 1981, the NCRWQCB and California Department of Health Services (DHS) discovered soil and groundwater contamination. This discovery indicated that pesticide containers had been rinsed on-site and that the residues and rinseates were improperly disposed of in a bermed, unlined sump area. Preliminary investigations from 1981-1983 by NCRWQCB and DHS identified soil and groundwater contamination with herbicides, pesticides and volatile and semi-volatile organic compounds. In January 1982, Del Norte County removed 1,150 containers from the Site and disposed of them at the Crescent City Landfill. In April 1982, 440 remaining unrinsed drums were shipped to a licensed recycler, the Rose Cooperage Company, in Montebello, California. Del Norte County's inability to fund further investigations initiated the process of listing the Del Norte Pesticide Storage Area on the National Priorities List (NPL) in the fall of 1983.

Basis for Taking Action

EPA completed Remedial Investigation/ Feasibility Study (RI/FS) activities in 1985. The results of those investigations indicated that operations at the Site resulted in contamination of soil and groundwater. Contaminants of concern in both soil and groundwater were 1,2-Dichloropropane (1,2-DCP) and 2,4-Dichlorophenoxyacetic acid (2,4-D). Soil contamination was detected to a depth of 15 feet but contained to an on-site area of 15 feet by 20 feet. At the time, the groundwater contaminant plume was estimated to extend approximately 170 feet to the southeast of the Site, the direction of groundwater movement. Potential use of the contaminated aquifer as a water supply would result in a significant health risk. Ingestion of these contaminants at the levels found on-site during the RI/FS has been linked to increased cancer risk. Investigations indicated that elevated levels of chromium were also present in soils at the Site.

4. Remedial Actions

Remedy Selection and Remedial Action Objectives

The ROD for the Site was signed on September 30, 1985. Remedial Action Objectives (RAOs) were established based on data collected during the Remedial Investigation to aid in the development and screening of remedial alternatives that were considered for the ROD.

The general RAOs identified in the 1985 ROD were:

- Minimize off-site contamination by migration of contaminated groundwater, and
- Minimize exposure to contaminated soil.

These RAOs were further specified in the 1985 ROD as:

- Prevention of nearby well contamination, and
- Restoration of contaminated on-site ground water to the MCLs of 100 µg/l for 2,4-D and 50 µg/l for chromium, and to the health-based level of 10 µg/l for 1,2-DCP, and
- Clean-up of on-site soils to unrestricted use levels (residential levels).

These RAOs resulted in the selection of a remedy with the following major components:

- Excavation and off-site disposal of contaminated soils,
- Extraction and treatment of groundwater through carbon adsorption and coagulation/filtration treatments,
- Disposal of treated groundwater to the Crescent City Waste Water Treatment Plant, and
- Groundwater monitoring.

A September 21, 1989, Explanation of Significant Differences (ESD) justified and documented the change in the groundwater treatment method that was selected in the 1985 ROD. Following source removal activities and initial biodegradation and/or volatilization of on-site contaminants, concentrations of 2,4-D and 1,2-DCP had reached asymptotic levels, indicating that continuation of the groundwater extraction and treatment aspect of the remedy was no longer appropriate. Furthermore, the discovery of naturally-occurring chromium in on-site bedrock rendered the treatment of groundwater by coagulation/filtration and the remediation of soil to remove chromium impracticable and prohibited under Section 104 (a)(3)(A) of CERCLA as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA). The selected groundwater treatment method was changed by the ESD from carbon adsorption and coagulation/filtration to aeration. Aeration had been considered in the original ROD as a remedial alternative but was not chosen due to its ineffective removal of 2,4-D and chromium.

In a ROD Amendment signed on August 29, 2000, EPA concluded that the remedial objective of restoring the contaminated groundwater to MCLs would not be met because no technology exists which is capable of reaching drinking water quality standards under the conditions found at the Site.

The RAOs included in the 2000 ROD Amendment are:

- Containment of contaminated groundwater, and
- Prevention of the groundwater's use as drinking water as long as contaminant concentrations remain above drinking water quality standards.

The 2000 ROD Amendment provides for:

- Containment of the groundwater plume through natural attenuation,
- Semi-annual groundwater monitoring,
- Identification of a new Applicable or Relevant and Appropriate Requirement (ARAR) for 1, 2-DCP (equivalent to the MCL of 5 µg/l),
- A Technical Impracticability waiver (TI) of this newly identified ARAR for groundwater within the existing contaminated area, and
- Institutional Controls (ICs) to prevent exposure to contaminated groundwater.

Remedy Implementation

In December 1987, EPA performed the first remedial action at the Site. Approximately 290 cubic yards of contaminated soil were excavated and disposed of off-site at a licensed hazardous waste disposal facility. The soil cleanup goals in the 1985 ROD were 10 µg/kg for 1, 2-DCP, which is well below the 2009 Regional Screening Levels for 1,2-DCP in residential soil for both carcinogenic target risk and non-cancer hazard index. The 1985 ROD soil cleanup goal of 100 µg/kg for 2,4-D also remains considerably below the current Regional Screening Levels for residential soil. This remedial action completed the soil remedy for the Site.

On July 19, 1988, DHS Toxic Substances Control Division, currently the Department of Toxic Substances Control (DTSC), signed a State Superfund Contract (SSC) with EPA, agreeing to pay for 50% of Remedial Design (RD) and Remedial Action (RA) costs. This contract was later amended in 1993 to include a 50% cost share of removal, RI/FS, RD, and RA costs. The authority for higher and broader cost sharing (exceeding the typical 10% cost share of RA costs) is granted under CERCLA Section 104(c)(3) which provides that States pay at least 50% of all response costs for sites where the State, or a political subdivision thereof, is responsible as an operator.

The RD for the aeration treatment system at the Site was executed by an EPA On-Scene Coordinator (OSC). Construction of the treatment system was conducted from September 1989 through April 1990. Extraction and monitoring wells were already in place from activities conducted during the RI/FS and RD.

Groundwater monitoring indicated that the extent and levels of 2,4-D and 1,2-DCP in groundwater were decreasing significantly. Between 1985 and 1989, after source removal but before installation of the pump and treatment system, the levels of 2,4-D in monitoring wells at the Site decreased to less than 2 µg/l, well below the 100 µg/l cleanup level established under the ROD. The levels of 1,2-DCP also decreased in the same time period from approximately 2000 µg/l to 600 µg/l; although the concentrations remained above the 10 µg/l cleanup level established under the ROD. These reductions were likely the result of the source removal and biodegradation and/or volatilization of the contaminants in the groundwater.

A pump and treatment system was installed in 1990 and began extracting groundwater from one extraction well at the rate of 15 gallons per minute (gpm). The treatment system operated continuously from April 1990 to December 1994. Thirteen monitoring wells in addition to the pumping wells were used to evaluate the remedy, including contaminant levels and groundwater movement (Figure 2). During that period it was observed that 1,2-DCP concentrations in the groundwater monitoring wells located within the plume had reached asymptotic levels, between approximately 15 and 40 µg/l 1,2-DCP. In 1994, EPA installed an air sparging system to determine if the injection of air into the aquifer would enhance contaminant removal. Additional sparge points were added in 1995. No measurable changes in the levels of 1,2-DCP in groundwater resulted.

The Site achieved construction completion status when the Preliminary Close Out Report was signed on June 18, 1992.

In 1994, EPA began a program of turning off the groundwater treatment system for extended periods of time to determine what effect it would have on contaminant concentrations. The system was turned off for approximately six months in 1995, and then restarted. It was turned off again for six months in 1996. No concentration differences were detected on either occasion. The system has been off since October 1997 and semi-annual groundwater monitoring reports show that contaminant concentrations continue to decline slowly, at the same rate as when the treatment system was operating. This trend and subsequent further investigation of plume behavior led the agency to finalize a ROD Amendment on August 29, 2000, with the identification of a new ARAR for 1,2-DCP (equivalent to the newly established MCL of 5 µg/l) and a TI waiver of this ARAR. Ongoing components of the remedy now include containment of the plume through natural attenuation, semi-annual groundwater monitoring, and ICs. The Thirteenth Semi-annual Groundwater Monitoring Report was submitted to EPA on November 10, 2010. A Covenant to Restrict Use of Property which incorporates the ICs necessary to prevent exposure to contaminated groundwater in this area was recorded for parcel #120-020-36 on July 31, 2002. On March 20, 2007, a corrected Covenant to Restrict Use of Property was recorded which included restrictions on both parcels #120-020-36 and #110-010-22. (Appendix C).

Operation and Maintenance

Operations and Maintenance (O&M) of the treatment system is no longer performed, because the treatment system has been turned off since October 1997. While the treatment systems were operating, O&M had been handled in-house by EPA. Repairs to the discharge pipeline, daily inspections and recording instrument readings were performed by employees of Del Norte County.

The remedy has now been amended to containment, monitoring, land use restrictions and a TI waiver of the remediation goal. The 2000 ROD Amendment and the 2002 CD require two years of semi-annual sampling of four specific monitoring wells as a component of the O&M, with an option of an annual schedule if warranted by analysis of at least two years of monitoring results. The monitoring program includes two wells within the known extent of contamination

based on the previous characterization effort (MW-104 and MW-105) and two wells immediately down gradient and lateral to the plume (MW-26 and MW-107, respectively). The two wells outside the plume are within 100 feet of each other and are placed along the potential groundwater flow paths to provide assurances of plume containment. Thirteen semi-annual Groundwater Monitoring Reports are available since the Consent Decree, including the most recent report submitted November 10, 2009. The sampling has been consistent with the previous sampling plan approved under the O&M and Sampling Manual prepared in February 1991. Due to increased budget restrictions, Del Norte County has asked EPA and DTSC to explore options of reduced monitoring frequency as specified in the CD.

5. Progress Since the Last (Second) Five-Year Review

The Second Five Year Review for the Del Norte Site in 2005 concluded that:

“The remedy at the Del Norte Pesticide Storage Area across the single OU currently protects human health and the environment because there is no current exposure to the contamination that remains at the Site. However, in order for the remedy to be protective in the long-term, a Land Use Covenant to Restrict Use of Property that is applicable to the entire Site must be put in place to ensure long-term protectiveness.”

The Second Five Year Review identified only one issue potentially affecting current or future protectiveness, an error in the Covenant to Restrict Land Use. The Covenant was found to apply only to a portion of the Site area, parcel #120-020-36. The Covenant has been revised and the appropriate Covenant was recorded on March 20, 2007, to apply to both parcels #120-020-36 and #110-010-22, in order to fully prevent exposure to contaminated groundwater as intended by the 2000 ROD Amendment. (Appendix C).

6. Five-Year Review Process

Administrative Components

Del Norte County representatives were formally notified of the initiation of the Five-Year Review process on October 21, 2009, following earlier discussions. The Five-Year Review was led by Kevin Mayer, EPA's Remedial Project Manager (RPM) for the Del Norte Pesticide Storage Area Superfund site with Alex Lee, DTSC's Project Manager for the Site. The following EPA Site team members assisted in the review:

- Kim Muratore, Case Developer;
- Svetlana Zenkin, Community Involvement Coordinator (CIC);
- Bethany Dreyfus, Attorney;
- Richard Garrison, US ACE; and,
- Ned Black, Region 9 CERCLA Ecologist.

The following County officials were interviewed as part of the Five-Year Review:

- Ron Ajuard, Del Norte County Department of Health and Social Services; and
- Ernie Perry, Del Norte County Department of Planning;

This Five-Year Review consisted of the following activities: community notification and involvement, a review of relevant documents and data, site inspection, and interviews with Del Norte County personnel.

Community Notification and Involvement

Activities to involve the community in the Five-Year Review were initiated in 2009. A notice regarding the forthcoming Five-Year Review was prepared by Svetlana Zenkin, CIC, and Kevin Mayer, RPM, both of EPA, with review and assistance from Alex Lee, DTSC. The notice was published on May 15, 2010 in *The Daily Triplicate* announcing the Five-Year Review for the Site (Appendix G). The notice provided a brief background and other relevant information on the Site, explained the reason for the Five-Year Review, and requested that anyone interested in submitting comments regarding the performance of the remedy at the Site contact the toll-free phone number provided. No comments were received prior to the closing of the comment period on May 27, 2010.

A second notice will be published in *The Daily Triplicate* announcing that the Five-Year Review Report for the Site is complete and that the results of the review and report are available to the public. The completed Five-Year Review Report will be available at the following locations:

- DTSC File Room, 700 Heinz Avenue, Berkeley, CA 94710
(510) 540-3800 (Call for appointment)
- Del Norte County Public Library, 190 Price Mall, Crescent City, CA 95531
- EPA Records Center, 95 Hawthorne Street, Suite 403S, San Francisco, CA 94105.

Document Review

This Five-Year Review consisted of a review of relevant documents including records and monitoring data (See Appendix E). The following ARARs for the Site were reviewed for changes that could affect protectiveness:

- National Primary Drinking Water Standards (40 CFR Parts 141)
- Title 22 CCR Section 64444
- Porter-Cologne Water Quality Control Act (California Water code Sections 13140-13147, 13172, 13260, 13262, 13267)

The only standard that has changed since the last Five Year Review is the issuance of a drinking water public health goal (PHG) for 2,4-D. In January 2009, the California's Office of Environmental Health Hazard Assessment issued a PHG for 2,4-D of 0.02 mg/L. However, since at least 1989, levels of 2,4-D in groundwater at the Site have been below 0.002 mg/L, well below the 2009 PHG. Therefore, this new standard does not impact protectiveness at the Site. The other standards have not changed.

The 2002 CD outlined access and institutional controls critical to the effectiveness of the remedy for the Site. The revised March 20, 2007, Covenant to Restrict Use of Property was reviewed to determine if Del Norte County's responsibilities to control Site access and employ ICs under the CD were fulfilled. The Covenant was made between Del Norte County, the Covenantor, and DTSC, the Covenantee, with EPA as a third party beneficiary. The Covenant incorporates standard DTSC LUC provisions such as prohibiting use of the Site as a residence, hospital, school, or daycare, and any restriction of DTSC or EPA's rights of entry and access. The Covenant further enables DTSC and EPA to enforce the provisions of the Covenant.

Data Review

A review of records and monitoring reports through March 2000 indicate that the groundwater treatment system operated for nearly seven years from April 1990 to October 1997. The system operated a total of 79 months extracting approximately 51 million gallons of treated groundwater. The system removed an estimated volume of 3.75 gallons (14.2 liters or 16.4 kilograms) of 1,2-DCP. Approximately 95% of that volume was removed within the first four years of operation. Peak contaminant concentrations in monitoring wells MW104 and MW 105 were reduced from over 400 µg/l of 1,2-DCP in 1990 to less than 40 µg/l in 1997.

By October 1997, both the groundwater and soil cleanup levels for 2,4-D had been achieved. Although the 5 µg/l MCL for 1,2-DCP has not been achieved, groundwater monitoring reports show that 1,2-DCP concentrations continue to decline slowly and the plume is contained within the original contaminated area. The influence of seasonal and annual fluctuations in the water table is likely to be a factor in the variability of 1,2-DCP concentrations in the shallow groundwater. Such year-to-year variation should be considered in assessing

whether the groundwater containment RAO has been fully achieved. Table 2 summarizes the results of the five Semi-annual Groundwater Monitoring Reports since the previous Five Year Review. See Appendix D for a discussion of the statistical analyses of monitoring data since 1997.

Table 2: Concentration of 1,2 DCP (in µg/l) in Del Norte Site Groundwater Monitoring Wells since Second Five Year Review (September 2005)

Sampling Date	09/14/05	03/20/06	04/16/07	11 /05/07	04/30/08	10/15/08	04122/09	10/12/09
Well 26	ND	ND	ND	ND	ND	ND	ND	NS
Well 104	2.3	4.0	1.2	1.2	0.79	2.4	0.58	2.0
Well 105	9.9	4.7	5.3	4.2	10.0	6.2	9.6	6.5
Well 107	ND	ND	ND	ND	ND	ND	ND	NS

ND – Not detected above analytical reporting limit

NS – Not sampled during this sampling event

During 2009, EPA and DTSC held discussions with Del Norte County Public Health staff to review monitoring results and reassess the monitoring program. The 2000 ROD Amendment specifies, “If 2 years of monitoring data demonstrates that the plume remains stable and concentrations continue to decline, the option of an annual monitoring schedule may be considered.” Monitoring results have been remarkably stable since the second Five Year Review, and monitoring wells 26 and 107 have had no detectable contamination at least since 2002. The three parties agreed that annual monitoring would be entirely adequate for those two wells starting in 2009. We further agreed that following review of a statistical analysis of the data, we would consider adjusting the monitoring schedule for the other two wells to an annual basis.

EPA tasked the U.S. Army Corps of Engineers to review the groundwater monitoring results since the active treatment system ceased operations in 1997. This report is included as Appendix D. Only two monitoring wells, 104 and 105, have detectable levels of 1,2-DCP. In MW-104, the concentrations have been below the 5 µg/l MCL since 2003. The concentration of 1,2-DCP has fluctuated in MW-105, between 4 and 10 µg/l over the last five years. Weather conditions and water table level have also fluctuated widely, although no direct statistical correlations have been discovered. With such variability, there is no clear trend for predicting when the MCL will be definitively attained. This ARAR was waived in the 2000 ROD Amendment for the currently contaminated portion of the aquifer. The analysis has confirmed the stability of the current range of groundwater concentration. EPA has also reviewed the monitoring data and concluded that the RAO of containment of the groundwater plume continues to be met. The current array of monitoring wells provides adequate assurance of no significant contaminant migration.

Site Inspection

Kevin Mayer and Alex Lee of DTSC performed the Five-Year Review site inspection on October 26, 2009. Ron Ajuard of Del Norte County Department of Health and Social Services participated in the inspection as a site escort and to provide information. The purpose of the inspection was to assess the protectiveness of the remedy by verifying that Site access and land and groundwater use have been restricted according to the CD.

No significant issues have been identified as a result of the site inspections. Perimeter fencing around the Site was in place and in good condition. Portions of the fencing along Washington Boulevard appeared to be relatively new. Signs restricting access were posted. The groundwater treatment system has been shut-off since October of 1997; therefore, no functioning machinery was present to be inspected, although there was evidence of former structure that may have been used during the treatment activities. No new uses of land or groundwater and no activities that would have violated the ICs were observed. Photos documenting the Site conditions are included in the Site Photo section of this report. A trench near the northern portion of the site provided visual evidence that the water table was only several feet below the ground surface (see attached photos).

The monitoring wells and their protective casings stood several feet above the ground surface. The metal casings protecting the monitoring wells showed corrosion, but the metal lids had been replaced and functioned adequately to prevent rainwater from accumulating around the wellhead. The PVC wellheads inside the metal casings were in good condition. However it was suggested that each well be clearly and permanently labeled with the well identification number (MW-26), possibly by writing on the PVC cap with indelible marker. Access to wells was made difficult by overgrowth of the surrounding vegetation and absence of route markings. The County official, Ron Ajuard, suggested bright plastic tape attached to the trees could be useful to mark the route and locations of the wells.

The Site Inspection Checklist (See Appendix A) attached to this document contains more details on the site inspection conducted for this report.

Interviews

The attached Interview Documentation Form (See Appendix B) provides further details regarding the interviews conducted for this Five Year Review.

The Second Five Year Review in 2005 conducted a broader series of interviews to establish a thorough understanding of the Del Norte County's executive structure and policies related to land use planning, development, permitting of wells and subsurface systems and other issues that could potentially impact the Superfund Site and the Remedial Action. With this information as a basis, the interviews and inspections for the Third Five Year Review were limited to those County agencies and managers with direct responsibilities.

Another improvement in the process for the Third Five Year Review is the collaboration between US EPA and California DTSC. The managers of these two agencies arranged to meet in Crescent City and together conduct the site inspection and interview with Del Norte County's project manager for the site.

Ron Aujuard, Environmental Health Scientist for the Del Norte County Department of Health and Social Services, Public Health Branch, was interviewed in person on October 26, 2009, at his office and at the site by Kevin Mayer and Alex Lee. This interview was conducted concurrently with the site inspection.

One of the major issues discussed in the office interview was the evaluation of the monitoring results and the possibility to reduce the semi-annual sampling frequency to an annual event for the four monitoring wells. This change is specifically anticipated in the 2000 ROD Amendment. Representatives of all three agencies felt that an annual monitoring schedule was likely to be sufficient, although we agreed to await the full statistical analysis before making any recommendations for reducing sampling frequency for all four wells.

The interview continued during the site inspection. Mr. Aujuard was relatively unfamiliar with the layout of the monitoring system and our difficulty locating and identifying the wells led to the recommendations for improved route marking and well identification in the thick undergrowth.

Kim Muratore of EPA telephoned the Del Norte Community Development (Planning) Department and verified that the zoning for these two parcels has not changed since the previous Five Year Review. A portion of each parcel is zoned as RCA-1 (Resource Conservation District), which would maintain this low-lying, wooded area as open space. A portion is zoned as MP (Manufacturing & Industrial Performance District). The County interprets the zoning description for MP as allowing for daycare or school usage, subject to approval for a use permit. However, during the course of the previous Five Year Review, the Director of the Community Development Department, Ernie Perry, said that a use permit would never be allowed, given the recorded deed restriction and the intention by the County to allow only airport-related uses of the County property.

7. Technical Assessment

A technical assessment of a site's remedy is based on information gathered during the Five Year Review in response to the following three questions:

- Question A - Is the remedy functioning as intended by the decision documents?
- Question B - Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives (RAOs) used at the time of the remedy selection still valid?
- Question C - Has any other information come to light that could call into question the protectiveness of the remedy?

These questions provide a framework for organizing and evaluating data and information and ensure that all relevant issues are considered when determining the protectiveness of the remedy.

The following conclusions support the determination that the remedy at the Site is protective of human health and the environment.

Question A: Is the remedy functioning as intended by the decision documents?

• Remedial Action Performance:

The groundwater treatment system has been inactive since October 1997. Monitoring results show that the plume is contained and contaminant concentrations are stable with only 2,4-DCP levels in one well remaining slightly higher than the MCL. Continued monitoring may eventually establish that the contaminant concentration is slowly declining.

• **System Operations/O&M:** Currently, O&M requires either annual or semi-annual sampling. Thirteen Semi-annual Groundwater Monitoring Reports are available. The results since the previous Five Year Review have been consistent with the previous sampling plan approved under the O&M and Sampling Manual prepared in February 1991. Del Norte County has raised the issue of reduced sampling frequency as allowed under the 2002 CD in order to reduce costs during a period of economic difficulty.

• **Opportunities for Optimization:** The groundwater treatment system has been shut off since October 1997. Optimization is not applicable.

• **Early Indicators of Potential Issues:** No early indicators of potential remedy failure were noted during the review.

• **Implementation of Institutional Controls and Other Measures:** Fencing and signs limit access to the Site. A Covenant to Restrict Use of Property was recorded for both on-site parcels. Site use is limited to the Del Norte County Department of Agriculture's office. The land is property of the County and, as the owner and sole user, the County has been able to adequately ensure that no uses of the Site prohibited under the Covenant have occurred.

Question B: Are the exposure assumptions, toxicity data, cleanup levels, and remedial action objectives (RAOs) used at the time of the remedy selection still valid?

- ***Changes in Standards and TBCs (To Be Considered):*** There were no changes in standards since the ROD Amendment was signed on August 29, 2000. EPA has recognized State of California LUC requirements as an ARAR at sites within the state. Since the LUC for the Del Norte Site was put into place by DTSC, these requirements have already been met.

- ***Changes in Exposure Pathways:*** No changes in Site conditions that affect exposure pathways were identified as part of the Five-Year Review. First, there are no current changes in land use. Second, no new contaminants, sources, or routes of exposure were identified as part of this Five-Year Review. Finally, there is no indication that hydrologic/hydrogeologic conditions are not adequately characterized. Results from monitoring data indicate no significant contaminant migration from the original contaminated area.

There have been no changes in exposure pathways to ecological receptors identified during the review and inspection. Although the water table fluctuates with climatic factors, the contaminants of concern remain below ground and there are no complete exposure pathways to ecological receptors.

- ***Changes in Toxicity and Other Contaminant Characteristics:*** EPA revised the Region 9 Regional Soil Screening Levels (formerly PRGs) in December 2009 with an updated toxicity value for 1,2-DCP that is more stringent than previous Screening Levels. Nevertheless, the soil cleanup levels established in the 1985 ROD were less than the most recent soil Screening Levels, so the soil cleanup remains protective, using the revised cancer and non-cancer risk estimates.

Groundwater outside the contained plume meets the revised protectiveness threshold for 1,2-DCP, which is the 5 µg/l MCL. Within the contained plume, the MCL for 1,2-DCP has been waived as an ARAR and is not an RAO. Therefore, the revised toxicity estimate does not affect the protectiveness of the remedy.

In January 2009, OEHHA issued a drinking water Public Health Goal (PHG) for 2,4-D. The PHG is 0.02 mg/L, which is 10 times higher than the level of 2,4-D found at the Site. Therefore, this change does not impact the Site's protectiveness. A PHG is a health-based guidance level, not a promulgated standard.

- ***Changes in Risk Assessment Methods:*** We have identified no changes in risk assessment methodologies since the time of the ROD Amendment which would call into question the protectiveness of the remedy.

- ***Expected Progress Toward Meeting RAOs:*** Although the variability in the recent monitoring data do not lead to an identifiable trend toward eventual attainment of the MCL for 1,2-DCP, the remedy is meeting all RAOs for plume containment and control of exposure through ICs. The MCL for 1,2-DCP within the existing contaminated area was identified as an ARAR and waived as an RAO in the ROD Amendment.

Question C: Has any other information come to light that could call into question the protectiveness of the remedy?

No additional information has been identified that could call into question the protectiveness of the remedy.

Technical Assessment Summary

According to the review of relevant documents and data, site inspections, and interviews with Del Norte County personnel, the remedy is functioning as intended by the ROD, as modified by the ESD and ROD Amendment. There have been no changes in the physical conditions of the Site that would affect the protectiveness of the remedy. Aside from the 5 µg/l MCL for 1,2-DCP for which a TI waiver was granted in 2002, all RAOs cited in the 1985 ROD and 2000 ROD Amendment have been met. There is no other information that calls into question the protectiveness of the remedy.

8. Issues

No issues affecting current or future protectiveness were identified throughout the course of the Third Five Year Review.

9. Recommendations and Follow-Up Actions

There are no recommendations necessary to address any formal issues nor are there any recommendations that would affect the protectiveness of the remedy.

The Five Year Review process, including the site inspection, provided an opportunity for EPA, DTSC and Del Norte County officials to discuss several follow-up actions to improve the efficiency of the operation and maintenance tasks without effecting the remedy. The monitoring program conducted by Del Norte County may be reduced from semi-annual sampling frequency to an annual event for the four monitoring wells. This change is specifically anticipated in the 2000 ROD Amendment. Representatives of all three agencies felt that an annual monitoring schedule was likely to be sufficient, although we agreed to await the full statistical analysis before making any recommendations for reducing sampling frequency for all four wells. We also agreed with the suggestion that the monitoring well locations and paths should be marked more clearly and the well numbers should be labeled on the wellhead caps.

10. Protectiveness Statement

The remedy at the Del Norte Pesticide Storage Area currently protects human health and the environment because there is no current exposure to the contamination that remains at the Site. A Land Use Covenant to Restrict Use of Property was recorded for both parcels of the single Operable Unit in 2007, and a title search confirmed that this institutional control is in place and effective to ensure long-term protectiveness.

The monitoring data confirm that the RAO of containment of the groundwater plume continues to be met. The current array of monitoring wells provides adequate assurance of no significant contaminant migration.

The plume has been stable since the groundwater treatment system was shut down in October 1997. Statistical analyses of the monitoring results since 1997 shows that the concentration of 1,2-DCP exceeds the MCL of 5 µg/l in only one monitoring well and has remained stable over the last few years after declining gradually. This MCL is an ARAR that was identified and waived as a Remedial Action Objective (RAO) in the 2000 ROD Amendment.

Ecological risks from the contaminated ground water are considered insignificant due to no complete exposure pathway to ecological receptors.

11. Next Review

This Site requires on-going Five-Year Reviews as a matter of statute, because the remedy does not allow for unrestricted use and unrestricted exposure. The next review will be conducted within five years of the completion of this Five-Year Review Report. The completion date is the date of signature shown on the cover of this report.

Figures and Maps

Del Norte Pesticide Storage Area Superfund Site, Crescent City, California Five Year Review



Del Norte Disposal Area,
Northern CA

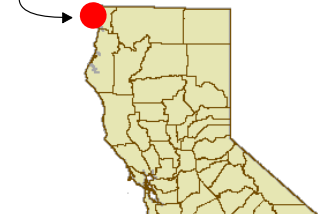
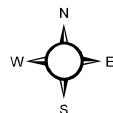
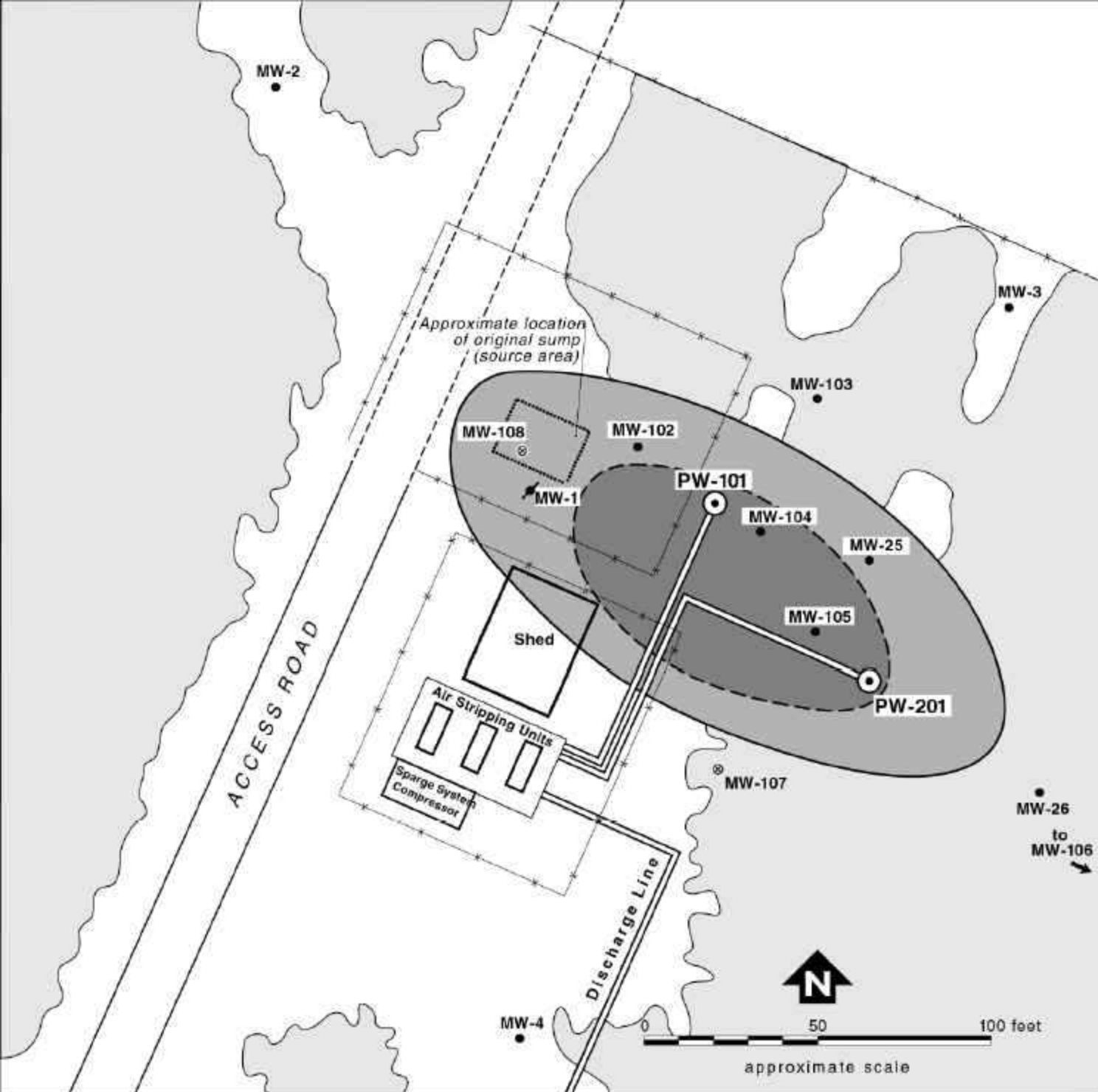


Figure 1: Area Map


Del Norte Pesticide Storage Area Five-Year Review: May 2010




0 0.25 0.5 1
Miles




LEGEND

 1998 Plume area (approximately 5,000 square feet)

 1990 Plume (area approximately 12,000 square feet)

 Forested area

 Existing monitoring well

 Well installed in March 1994

 Pumping well

 Abandoned well

(Note: MW-5, -6, -7 are off map)

Figure 2
Areal Extent of 1,2 DCP Concentrations > 5 ppb
 Del Norte Pesticides NPL Site
 Crescent City, California

Current Site Photos

Del Norte Pesticide Storage Area Superfund Site, Crescent City, California Five Year Review

**Boundary Fence between Airport and northern edge of Del Norte Pesticide Storage Area Site,
View toward East. October 26, 2009.**

**Boundary Fence between Airport and northern edge of Del Norte Pesticide Storage Area Site,
View toward Northwest. October 26, 2009.**

Trench showing shallow depth to groundwater at Del Norte Pesticide site. 10/26/2009

Del Norte Site, trail to monitoring well through underbrush. 10/26/2009



Jack McNamara Field -Del Norte County Airport, Adjacent to Del Norte Pesticide Storage Site



Boundary Fence between Del Norte Pesticide Storage Site and Airport, View toward the East



Trench at northern edge of Del Norte Pesticide Storage Site,
Showing Shallow (1 meter) Depth to Water Table, October 26, 2009



Del Norte Site, October 26, 2009. Underbrush along Trail to Monitoring Wells



Del Norte Monitoring Well, Wellhead Exterior, October 26, 2009



Del Norte Monitoring Well, Wellhead Exterior, October 26, 2009



Del Norte Monitoring Well, Inside Protective Steel Casing, Well Not Identified. October 26, 2009



Del Norte Monitoring Well, Second Unidentified Wellhead, October 26, 2009



Entrance to County Property at Del Norte Pesticide Storage Site, Gate along Washington Boulevard – Southern Boundary of Site, October 26, 2009.



View toward South from Del Norte Site Entrance across Washington Boulevard, Showing Proximity to Pacific Ocean and Rural Surroundings. October 26, 2009.

Appendix A

Site Inspection Report

I. SITE INFORMATION					
Site name: Del Norte Pesticide Storage Area			Date of inspection: 1/25/2007		
Location and Region: Crescent City, Del Norte County California; Region 9			EPA ID: CAD000626176		
Agency leading the five-year review: US EPA Region 9 and DTSC project managers (Mayer and Lee), with Del Norte County manager (Ajuard)			Weather/temperature: Approx. 60 F, Overcast after earlier rain		
Remedy Includes: (Check all that apply) <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Landfill cover/containment <input type="checkbox"/> Access controls <input checked="" type="checkbox"/> Institutional controls <input type="checkbox"/> Groundwater pump and treatment <input type="checkbox"/> Surface water collection and treatment <input type="checkbox"/> Other</div><div><input checked="" type="checkbox"/> Monitored natural attenuation <input type="checkbox"/> Groundwater containment <input type="checkbox"/> Vertical barrier walls</div></div>					
Attachments: <input type="checkbox"/> Inspection team roster attached <input type="checkbox"/> Site map attached (see Figures section of Five Year Review)					
II. INTERVIEWS (Check all that apply)					
1. O&M site manager _____ Ron Ajuard _____ Environmental Health Scientist_ 1/25/2007_ Name Title Date Interviewed <input checked="" type="checkbox"/> at site <input checked="" type="checkbox"/> at office <input type="checkbox"/> by phone Phone no. 707-464-3191 ext 295_ Problems, suggestions; <input checked="" type="checkbox"/> Report attached _____					
2. O&M staff _____ NA _____ Name Title Date Interviewed — <input type="checkbox"/> at site <input type="checkbox"/> at office <input type="checkbox"/> by phone Phone no. _____ Problems, suggestions; <input type="checkbox"/> Report attached _____					
3. Local regulatory authorities and response agencies (i.e., State and Tribal offices, emergency response office, police department, office of public health or environmental health, zoning office, recorder of deeds, or other city and county offices, etc.) Fill in all that apply. Agency California EPA, DTSC Contact Alex Lee Hazardous Substances Scientist 10/26/2009 510-540-3844 Name Title Date Phone no. Problems; suggestions; <input type="checkbox"/> Report attached Conducted inspection along with Kevin Mayer of US EPA_					
4. Other interviews (optional) <input checked="" type="checkbox"/> Reports attached.					
Agency Del Norte Community Development (Planning) Department Contact Ernie Perry Director 3/02/2010 (707) 464-7254 Name Title Date Phone no.					

III. ON-SITE DOCUMENTS & RECORDS VERIFIED (All relevant documents kept at County office, not on-site)				
1.	O&M Documents <input type="checkbox"/> O&M manual <input type="checkbox"/> As-built drawings <input type="checkbox"/> Maintenance logs Remarks _____	<input type="checkbox"/> Readily available <input type="checkbox"/> Readily available <input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date <input type="checkbox"/> Up to date <input type="checkbox"/> Up to date	X N/A X N/A X N/A
2.	Site-Specific Health and Safety Plan <input type="checkbox"/> Contingency plan/emergency response plan Remarks _____	<input type="checkbox"/> Readily available <input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date <input type="checkbox"/> Up to date	X N/A X N/A
3.	O&M and OSHA Training Records Remarks _____	<input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date	X N/A
4.	Permits and Service Agreements <input type="checkbox"/> Air discharge permit <input type="checkbox"/> Effluent discharge <input type="checkbox"/> Waste disposal, POTW <input type="checkbox"/> Other permits _____ Remarks _____	<input type="checkbox"/> Readily available <input type="checkbox"/> Readily available <input type="checkbox"/> Readily available <input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date <input type="checkbox"/> Up to date <input type="checkbox"/> Up to date <input type="checkbox"/> Up to date	X N/A X N/A <input type="checkbox"/> N/A <input type="checkbox"/> N/A
5.	Gas Generation Records Remarks _____	<input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date	X N/A
6.	Settlement Monument Records Remarks _____	<input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date	X N/A
7.	Groundwater Monitoring Records Remarks: _____	X Readily available	X Up to date	<input type="checkbox"/> N/A
8.	Leachate Extraction Records Remarks _____	<input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date	X N/A
9.	Discharge Compliance Records <input type="checkbox"/> Air <input type="checkbox"/> Water (effluent) Remarks _____ No discharges _____	<input type="checkbox"/> Readily available <input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date <input type="checkbox"/> Up to date	X N/A X N/A
10.	Daily Access/Security Logs Remarks _____	<input type="checkbox"/> Readily available	<input type="checkbox"/> Up to date	X N/A

IV. O&M COSTS <u>N/A</u>																																																															
1.	O&M Organization <input type="checkbox"/> State in-house <input type="checkbox"/> Contractor for State <input type="checkbox"/> PRP in-house <input type="checkbox"/> Contractor for PRP <input type="checkbox"/> Federal Facility in-house <input type="checkbox"/> Contractor for Federal Facility <input type="checkbox"/> Other _____ 																																																														
2.	O&M Cost Records <input type="checkbox"/> Readily available <input type="checkbox"/> Up to date <input type="checkbox"/> Funding mechanism/agreement in place Original O&M cost estimate _____ <input type="checkbox"/> Breakdown attached <div style="text-align: center;">Total annual cost by year for review period if available</div> <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">From _____</td> <td style="width: 20%;">To _____</td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td style="text-align: center;">Date</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">Total cost</td> <td></td> <td></td> <td><input type="checkbox"/> Breakdown attached</td> </tr> <tr> <td>From _____</td> <td>To _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Date</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">Total cost</td> <td></td> <td></td> <td><input type="checkbox"/> Breakdown attached</td> </tr> <tr> <td>From _____</td> <td>To _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Date</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">Total cost</td> <td></td> <td></td> <td><input type="checkbox"/> Breakdown attached</td> </tr> <tr> <td>From _____</td> <td>To _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Date</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">Total cost</td> <td></td> <td></td> <td><input type="checkbox"/> Breakdown attached</td> </tr> <tr> <td>From _____</td> <td>To _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">Date</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">Total cost</td> <td></td> <td></td> <td><input type="checkbox"/> Breakdown attached</td> </tr> </table>			From _____	To _____					Date	Date	Total cost			<input type="checkbox"/> Breakdown attached	From _____	To _____					Date	Date	Total cost			<input type="checkbox"/> Breakdown attached	From _____	To _____					Date	Date	Total cost			<input type="checkbox"/> Breakdown attached	From _____	To _____					Date	Date	Total cost			<input type="checkbox"/> Breakdown attached	From _____	To _____					Date	Date	Total cost			<input type="checkbox"/> Breakdown attached
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3.	Unanticipated or Unusually High O&M Costs During Review Period Describe costs and reasons: _____ Discussed reduction of monitoring frequency _____ 																																																														
V. ACCESS AND INSTITUTIONAL CONTROLS <input checked="" type="checkbox"/> Applicable <input type="checkbox"/> N/A																																																															
A. Fencing																																																															
1.	Fencing damaged <input type="checkbox"/> Location shown on site map <input type="checkbox"/> Gates secured <input type="checkbox"/> N/A Remarks: <u>Fencing was in good condition. Apparently new fencing along part of Washington Blvd.</u> 																																																														
B. Other Access Restrictions																																																															
1.	Signs and other security measures <input type="checkbox"/> Location shown on site map <input checked="" type="checkbox"/> N/A Remarks: <u>Signs are posted on fencing and at gate</u> 																																																														

C. Institutional Controls (ICs)			
1.	Implementation and enforcement		
	Site conditions imply ICs not properly implemented	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
	Site conditions imply ICs not being fully enforced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
	Type of monitoring (e.g., self-reporting, drive by) _____ N/A _____		
	Frequency _____		
	Responsible party/agency ___ Del Norte County (landowner and manager), Cal EPA DTSC _____		
	Contact <u>Del Norte County Assessor's Office</u> _____ (see attached interview report from 3/2/2010)		
	Name	Title	Date Phone no.
	Reporting is up-to-date	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
	Reports are verified by the lead agency	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
	Specific requirements in deed or decision documents have been met	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
	Violations have been reported	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
	Other problems or suggestions: <input type="checkbox"/> Report attached		
	<u>EPA confirmed that land use restrictions are recorded with the deed on both applicable parcels.</u>		
2.	Adequacy	<input checked="" type="checkbox"/> ICs are adequate	<input type="checkbox"/> ICs are inadequate <input type="checkbox"/> N/A
	Remarks: <u>The ICs are adequate for the purpose designated in conjunction with County policies.</u>		
D. General			
1.	Vandalism/trespassing	<input type="checkbox"/> Location shown on site map	<input checked="" type="checkbox"/> No vandalism evident
	Remarks: _____		
2.	Land use changes on site	<input type="checkbox"/> N/A	
	Remarks: _____		
3.	Land use changes off site	<input type="checkbox"/> N/A	
	Remarks: <u>Reported planning for expansion of adjoining airport. County Health officials are actively involved in early planning efforts. No progress on expansion or development is expected in the near future due to economic conditions.</u>		
VI. GENERAL SITE CONDITIONS			
A. Roads <input checked="" type="checkbox"/> Applicable <input type="checkbox"/> N/A			
1.	Roads damaged	<input type="checkbox"/> Location shown on site map	<input checked="" type="checkbox"/> Roads adequate <input type="checkbox"/> N/A
	Remarks: _____		

B. Other Site Conditions
Remarks <u>Underbrush obscures the location and pathways to the monitoring wells. This makes it difficult for staff unfamiliar with the site to easily locate the wells. EPA and DTSC agreed with the County staff that bright plastic marking would be useful.</u>
VII. LANDFILL COVERS <input type="checkbox"/> Applicable <input checked="" type="checkbox"/> N/A

<i>X. OTHER REMEDIES</i>
If there are remedies applied at the site which are not covered above, attach an inspection sheet describing the physical nature and condition of any facility associated with the remedy. An example would be soil vapor extraction.
XI. OVERALL OBSERVATIONS
A. Implementation of the Remedy
Describe issues and observations relating to whether the remedy is effective and functioning as designed. Begin with a brief statement of what the remedy is to accomplish (i.e., to contain contaminant plume, minimize infiltration and gas emission, etc.). <u>Statistical analyses are to be conducted to establish whether the remedial action objects are predicted to be met in the near future. Such analysis could inform decisions to adjust monitoring frequency.</u>
B. Adequacy of O&M
Describe issues and observations related to the implementation and scope of O&M procedures. In particular, discuss their relationship to the current and long-term protectiveness of the remedy. <u>N/A</u>

C. Early Indicators of Potential Remedy Problems
Describe issues and observations such as unexpected changes in the cost or scope of O&M or a high frequency of unscheduled repairs, that suggest that the protectiveness of the remedy may be compromised in the future. <u>None noted</u>
D. Opportunities for Optimization
Describe possible opportunities for optimization in monitoring tasks or the operation of the remedy. <u>N/A</u>

Appendix B – Interviews

INTERVIEW DOCUMENTATION FORM			
The following is a list of individual interviewed for this five-year review. See the attached contact records for a detailed summary of the interviews.			
Name	Title/Position	Organization	Date
Ron Ajuard	Environmental Health Scientist, Project manager for County	Del Norte Co. Department of Health and Human Services, Public Health Branch	10/26/2009
(Ernie Perry)	Director	Del Norte Co. Community Development Department	03/02/2010

INTERVIEW RECORD		
Site Name: Del Norte Pesticide Storage Area		EPA ID No.: CAD000626176
Subject: Site Inspection for Five Year Review		Time: after 1 pm
Date: 10/26/2009		
Type: <u>Visit</u> Location of Visit: County Office and Pesticide Storage Area Site		Incoming Outgoing
Contact Made By:		
Name: Kevin Mayer Alex Lee	Title: Remedial Project Manager Hazardous Substances Scientist	Organization: US EPA Region IX California EPA, DTSC
Individual Contacted:		
Name: Ron Ajuard	Title: Environmental Health Scientist, Project Manager for County	Organization: Del Norte County Department of Health and Human Services, Public Health Branch
Telephone No: (707) 464-3191 ext 295 Fax No: (707) 465-1792 E-Mail Address: raujuard@co.del-norte.ca.us		Street Address: 880 Northcrest Dr City, State, Zip: Crescent City, CA, 95531
Summary Of Conversation Kevin Mayer of EPA and Alex Lee of DTSC met with Ron Ajuard of Del Norte County at his office and later drove to the Del Norte Pesticide Storage Area site to continue our discussion along with the site inspection. We introduced ourselves and discussed plans to proceed with the Five Year Review including the site inspection. Mr. Ajuard is an experience professional that had been working for Del Norte County for a relatively short time. He assumed the project management responsibilities for the Superfund site upon the recent retirement of Leon Perrault, less than two months earlier. Mr. Ajuard had the site files and records in his office. (continued)		

Summary Of Conversation, continued (Mr. Ron Aujuard, Del Norte County, 10/26/2009

We spoke about the economic conditions of the County, particularly related to the sampling frequency and related analytical costs. There was some reason for optimism in the apparent slow rate of decline of the groundwater contaminants in the final monitoring well above the cleanup levels (Remedial Action Objectives). Yet the concentrations were likely to remain above the RAO for a few years, at least. We discussed how a statistical analysis might help predict when the RAO may be attained, and how many samples would be required for confirmation. In the meantime, the County was interested in reducing their costs by switching to a less frequent sampling schedule. We asked Mr. Aujuard about any changes in land use patterns or development that might affect the project. He mentioned that there had been interest in expanding development of the County Airport. The Department of Health and Human Services was represented in a meeting and a field trip to the airport. Whether or not the airport development could have any effect on the cleanup project, the development plans seemed to have evaporated, at least temporarily, due to the economy.

We drove to the site along Washington Boulevard and noticed no new development since 2005. As we approached the site, we could see that the cyclone fence on the north side of the street appeared to be nearly new and in very good condition, with warning signs. This fence is part of the Site and airport security. Signs along the fence and at the gate are not specific about potential hazards from the residual contamination at the Superfund site. Very little of the land within the fenced County property is actually contaminated. Several vehicles were inside the gate for the site, apparently belonging to staff at the County Animal Control offices.

We walked along the dirt road through wooded area to the north end of the property near the fence for the airport. We observed the drainage ditch in this open area and noted that the water level was only three or four feet from the ground surface, indicating a relatively shallow water table.

We then tried to find the location of the monitoring wells in the wooded area with fairly thick, wet underbrush. Our location maps were of some help, but we could not be certain of the well identification numbers of the wells we found. Simply marking the PVC cap and well pipes with an indelible marker would be helpful. The caps of the outer steel protective casings had been replaced since 2005. This improved the protection of the well head from leaking rainwater. Some of the trails were overgrown and trail markings would be helpful to find our way to the wells. Mr. Aujuard suggested hanging brightly colored plastic tape ("tree tape"). He also thought that he might ask his predecessor to help confirm locations and identifications.

We went back to the entrance to see the gate and signage and to observe the proximity of the site to the farm house south of Washington Blvd and to the Pacific ocean. Alex and Kevin drove to the airport to get a sense of the size and activity, as well as orient ourselves to the Pesticide Area. The McNamara Airport is a small regional facility. There is no apparent evidence of construction or expansion anywhere on the facility, and certainly no activity near the Pesticide Area.

INTERVIEW RECORD		
Site Name: Del Norte Pesticide Storage Area		EPA ID No.: CAD000626176
Subject: Five-Year Review Telephone Inquiries		Time: Date: 03/02/2010
Type: <u>Telephone</u> Visit Other		Incoming <u>Outgoing</u>
Location of Visit:		
Contact Made By:		
Name: Kim Muratore	Title: Case Developer	Organization: US EPA Region IX
Individual Contacted:		
Name: Staff	Title: Staff	Organization: Del Norte County Assessor's Office, and Del Norte Community Development (Planning) Department
Telephone No: (707) 464-7254 Fax No: (707) 465-0340 E-Mail Address: EPerry@co.del-norte.ca.us		Street Address:. 981 H Street, Suite 110 City, State, Zip: Crescent City, CA 95531
<p>Summary Of Conversation</p> <p>I called the Del Norte County Assessor's Office and verified the following:</p> <ol style="list-style-type: none"> 1) The two parcels in question, 110-010-22 and 120-020-36 are still owned by the County (they haven't changed ownership) 2) The deed restrictions on these two parcels, which was filed on 03/20/07 by DTSC, are still in place <p>I then called the Del Norte Community Development (Planning) Department and verified that the zoning for these two parcels has not changed since the last 5 year review. A portion of each parcel is zoned as RCA-1 (Resource Conservation District) aka swampy, open space; and a portion is zoned as MP (Manufacturing & Industrial Performance District). The zoning description for MP the County interprets as allowing for daycare or school usage, subject to approval for a use permit. However, during the course of the previous 5-year review, I interviewed the Director of the Community Development Department, Ernie Perry, and he said that a use permit would never be allowed, given the recorded deed restriction and the intention by the County to allow only airport-related uses of the County property</p>		

Appendix C

Doc # 20071592
Page 1 of 14
Date: 3/20/2007 03:47P
Filed by: DEL NORTE CO BOS
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
VICKI L. FRAZIER
COUNTY CLERK-RECORDER
Fee: \$0.00

RECORDING REQUESTED BY:)
County of Del Norte)

WHEN RECORDED, MAIL TO:)

Barbara J. Cook, P.E., Chief)
Department of Toxic Substances Control)
Northern California - Coastal)
Cleanup Operations Branch)
700 Heinz Avenue, Suite 200)
Berkeley, California 94710-2721)

No Fee Per Gov't Code 27383

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COVENANT TO RESTRICT USE OF PROPERTY
(Health and Safety Code section 25355.5)

ENVIRONMENTAL RESTRICTION (Civil Code section 1471)

(Re: Del Norte Pesticide Storage Area @ 2650 Washington Boulevard, Crescent City,
Del Norte County, California, Parcel #s: 110-010-22 and 120-020-36)

This Covenant and Agreement ("Covenant") is made by and between the County of Del Norte, a county of the State of California (the "Covenantor"), the current owner of property situated near the community of Crescent City, County of Del Norte, State of California, described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein by this reference (the "Property"), and the California Department of Toxic Substances Control ("the Department"). Pursuant to Civil Code section 1471, the Department has determined that this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of a hazardous material as defined in Health and Safety Code ("HSC") section 25260. The Covenantor and the Department, collectively referred to as the "Parties", hereby agree, pursuant to Civil Code section 1471 and HSC section 25355.5 that the use of the Property be restricted as set forth in this Covenant. The Parties further intend that the provisions of this Covenant also be for the benefit of the U.S. Environmental Protection Agency ("U.S. EPA") as a third party beneficiary.

DN CO AGMT #

2007-029

ARTICLE I
STATEMENT OF FACTS

1.01. The Property is owned by the County of Del Norte and is located at 2650 Washington Boulevard, Crescent City, Del Norte County, California and comprises approximately 20.4 acres. The Property is more particularly described in Exhibit "A" and depicted in Exhibit "B". An area overlying groundwater contaminated by 1,2-Dichloropropane is within the Property. The Property is more specifically described as Del Norte County Assessor's Parcel Numbers: 110-010-22 and 120-020-36.

1.02. A hazardous substance, as defined in HSC section 25316; section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601(14); and 40 Code of Federal Regulations ("C.F.R.") §§ 261.3 and 302.4 remains on portions of the Property.

1.03. U.S. EPA has been remediating the Property. The Property is part of the Del Norte County Pesticide Storage Area National Priorities List (NPL) site (Site ID No. 0900923; CERCLIS: CAD000626176) and is being remediated pursuant to a Record of Decision and an Amendment to the Record of Decision pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), 42 U.S.C. Sections 9601 et seq., and with the National Contingency Plan (40 C.F.R. Part 300), administered by the U.S. EPA. The U.S. EPA circulated the Remedial Investigation Report, Feasibility Study and Proposed Plan for public review and comment. The Record of Decision was approved by U.S. EPA on September 30, 1985 and identified excavation and off-site disposal of contaminated soil and extraction and treatment of contaminated groundwater as primary components of the remedy. Contaminated soil has been remediated as required by the Record of Decision. A groundwater extraction and treatment system operated continuously from April 1990 to December 1994. There were two shutdowns of approximately six-months duration in 1995 and 1996 and the groundwater and extraction system was permanently shut down in October 1997. The purpose of the shutdowns was to determine the effect on mass removal and contaminant concentrations. U.S. EPA ultimately concluded that the observed rate of contaminant reduction was the same whether or not the groundwater extraction and treatment system was operating. This conclusion lead to U.S. EPA approving the Amendment to the Record of Decision on August 29, 2000 that changed the groundwater part of the remedy from extraction and treatment to containment through natural attenuation with semi-annual sampling of selected groundwater monitoring wells. Semi-annual groundwater sampling performed since system operation was discontinued indicates that concentrations of 1, 2-Dichloropropane are declining slowly. Because 1,2-Dichloropropane, a hazardous substance, as defined in HSC section 25316 and a hazardous material as defined in HSC section 25260, will continue to remain in groundwater under portions of the Property, the Amendment to the Record of Decision provides that institutional controls to prevent human exposure to contaminated groundwater be required as part of the site remediation.

1.04. A prior environmental restriction was recorded on the Property as Document number 20024191 on July 31, 2002. However, that document references only the APN covering the southern portion of the Property, APN 120-020-36, and does not reference APN 110-010-22, as was intended. That document used the same graphical depiction exhibit as this document; however, the legal description set forth in metes and bounds on that exhibit, describing the 20.4 acres, was inaccurate and incomplete. Therefore, a new metes and bounds description for the property visually depicted in Exhibit A of Document 20024191 has been prepared and is used in this covenant as the new Exhibit A. The graphic depiction included in the former Exhibit A of Document 20024191 is now used as Exhibit B for this document but this time without the erroneous metes and bounds description. It was the intent of all the parties to have the terms of that restriction apply to the full 20.4 acres, as depicted in the Exhibit B of this document, representing both APN 110-010-22 and APN 120-020-36. However, parcel APN 110-010-22 was not listed in the Environmental Restriction, although it was depicted on the exhibit. Therefore, the Department and the Covenantor, finding that the need for such Environmental Restriction still remains, do hereby execute this revised Environmental Restriction for the Property (APNs 110-010-22 and 120-20-36). Further, Covenantor, certifies that since the recording of the prior covenant, APN 110-010-22 has been managed in a way that would not have violated the terms of the covenant recorded on July 31, 2002, and that Covenantor has not conveyed away any interest in APN 110-010-22 that prevents the Covenantor from entering into this Environmental Restriction, and thereby binding all right title and interests of the Property. Further, Covenantor certifies that it has taken no action that would preclude or in any way hinder the Department or U.S. EPA's enforcement of this Environmental Restriction or the one recorded July 31, 2002.

1.05. The restrictions set forth in this Covenant are necessary to preclude potential future human exposure to 1,2-Dichloropropane.

ARTICLE II DEFINITIONS

2.01. Department. "Department" means the California Department of Toxic Substances Control and includes its successor agencies, if any.

2.02. U.S. EPA. "U.S. EPA" means the United States Environmental Protection Agency and includes its successor agencies, if any.

2.03 Owner. "Owner" means the Covenantor, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to, or an ownership interest in, all or any portion of the Property.

2.04. Occupant. "Occupant" means any Owner and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property.

2.05. CERCLA Lead Agency. "CERCLA Lead Agency" means the governmental entity having the designated lead responsibility to implement response action under the National Contingency Plan ("NCP"), 40 C.F.R. Part 300. U.S. EPA is the CERCLA Lead Agency at the time of the recording of this instrument.

2.06 Covenantor. "Covenantor" means the County of Del Norte, and includes its successors, if any.

2.07 Groundwater monitoring wells. "Groundwater monitoring wells" means the wells that are to remain on the Property as required by the Amendment to the Record of Decision. These wells include four groundwater monitoring wells, MW-26, MW-104, MW-105, and MW-107, and two former extraction wells, PW-101 and PW-201.

ARTICLE III GENERAL PROVISIONS

3.01. Restrictions to Run with the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "Restrictions"), subject to which the Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. Each and every Restriction: (a) runs with the land pursuant to HSC section 25355.5 and Civil Code section 1471; (b) inures to the benefit of and passes with each and every portion of the Property; (c) is for the benefit of, and enforceable by the Department; (d) is for the benefit of U.S. EPA as a third party beneficiary; and (e) is imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.

3.02. Binding upon Owners/Occupants. The Covenantor and all successive Owners and Occupants of the Property are expressly bound hereby for the benefit of the Department and U.S. EPA. Pursuant to HSC section 25355.5, this Covenant binds all owners and occupants of the Property, their heirs, successors, and assignees, and the agents, employees, and lessees of the owners, heirs, successors, and assignees.

3.03. Written Notice of the Presence of Hazardous Substances. At least 30 days prior to the sale, lease, sublease, rental, assignment, other transfer, or conveyance of any interest in the Property or any portion thereof, including fee interests, leasehold interests, and mortgage interests, the owner, lessor, assignor, or other transferor shall give the buyer, lessee, assignee, or other transferee written notice that a hazardous substance is located on or beneath the Property and notice of this Covenant that confers a right of access to the Property and that confers a right to enforce restrictions on the use of the Property and obligations associated with the Property as set forth in Article IV of this Covenant.

3.04. Incorporation into Deeds, Leases, and Subleases. The Restrictions set forth herein shall be incorporated by reference in each and all deeds, leases, subleases, rental agreements, assignments, or other transfers of all or any portion of the Property which are hereafter executed or renewed. Further, each Owner or Occupant shall include in any instrument conveying any interest in all or any portion of the Property,

including but not limited to deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTION AND COVENANT TO RESTRICT USE OF PROPERTY, RECORDED IN THE PUBLIC LAND RECORDS ON __[DATE]__, IN BOOK ____, PAGE ____, IN FAVOR OF AND ENFORCEABLE BY THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL AND FOR THE BENEFIT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

3.05. Conveyance of Property. The Owner shall provide notice to the Department and to U.S. EPA not later than thirty (30) days before any conveyance or other transfer of any ownership interest in the Property (excluding mortgages, liens, and other non-possessory encumbrances). The Department and U.S. EPA shall not, by reason of this Covenant, have authority to approve, disapprove, or otherwise affect a proposed conveyance or transfer, except as otherwise provided by law, by administrative order, or by a specific provision of this Covenant.

ARTICLE IV RESTRICTIONS AND OBLIGATIONS

4.01. Prohibited Uses. Future use of the Property shall be restricted to industrial and/or commercial use only, and the Property shall not be used for any of the following purposes:

- (a) A residence, including but not limited to any mobile home or factory built housing, constructed or installed for use as residential human habitation.
- (b) A hospital for humans.
- (c) A public or private school for persons under 21 years of age.
- (d) A day care center for children.

4.02. Non-Interference with Groundwater Monitoring Wells and Contaminated Groundwater. Covenantor agrees:

- (a) Installation and/or pumping of any water-producing wells, including but not limited to water supply, irrigation, or private wells shall not be permitted on the Property.
- (b) Use of contaminated groundwater shall be prohibited.
- (c) Activities that may damage or compromise the integrity of groundwater monitoring wells shall not be permitted.
- (d) Groundwater monitoring wells shall be maintained and protected from physical damage.
- (e) Groundwater monitoring wells shall not be altered or destroyed without prior written approval by the Department.

4.03. Soil Management. Any contaminated soils brought to the surface by grading, excavation, trenching, or backfilling shall be managed in accordance with all

applicable provisions of state and federal law, and will not be removed from the Property without following a Soil Management Plan approved by the Department.

4.04. Access for the Department. The Department shall have reasonable right of entry and access to the Property for inspection, monitoring, periodic reviews, and other activities consistent with the purposes of this Covenant as deemed necessary by the Department in order to protect the public health or safety or the environment. Nothing in this instrument shall limit or otherwise affect U.S. EPA's right of entry and access, or U.S. EPA's authority to take response actions under CERCLA, the National Contingency Plan, 40 C.F.R. Part 300 and its successor provisions, or federal law. Nothing in this instrument shall limit or otherwise affect the Department's right of entry and access under any statutory provision.

4.05. Access for Implementing Groundwater Monitoring. The entity or person responsible for implementing groundwater monitoring and maintenance of groundwater monitoring wells shall have reasonable right of entry and access to the Property for the purpose of implementing these monitoring and maintenance activities. Such right of entry and access shall continue until such time as the Department determines that such activities are no longer required.

ARTICLE V ENFORCEMENT

5.01. Enforcement. The Department shall be entitled to enforce the terms of this instrument by resort to filing of an administrative, civil, or criminal action, as provided by law or equity, against the Owner(s) and/or Occupant(s). This Covenant shall be enforceable by the Department pursuant to Health and Safety Code, Division 20, Chapter 6.5, Article 8 (commencing with section 25180). Failure of the Covenantor, Owner, or Occupants to comply with any provision of Paragraphs 4.01 through 4.04 of this Covenant shall be grounds for the Department to require that the Covenantor, Owner or Occupants modify or remove, as appropriate, any improvements constructed or placed upon any portion of the Property in violation of the Restrictions. ("Improvements" herein shall include, but not be limited to, all buildings, roads, driveways, and paved parking areas). All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA, and violation of this Covenant shall be grounds for the Department or U.S. EPA to file civil or criminal actions, as provided by law or equity.

ARTICLE VI VARIANCE, TERMINATION, AND TERM

6.01. Variance. Covenantor, or any other aggrieved person, may apply to the Department for a written variance from the provisions of this Covenant. Such application shall be made in accordance with HSC section 25233. Unless and until the State of California assumes CERCLA Lead Agency responsibility for Site operation and maintenance, no variance may be granted under this paragraph without prior review and prior concurrence with the variance by U.S. EPA. If requested by the Department

or U.S. EPA, any approved variance shall be recorded in the land records by the person or entity granted the variance.

6.02. Termination. Covenantor, or any other aggrieved person, may apply to the Department for a termination of the Restrictions or other terms of this Covenant as they apply to all or any portion of the Property. Such application shall be made in accordance with HSC section 25234. Unless and until the State of California assumes CERCLA Lead Agency responsibility for groundwater monitoring, no termination may be granted under this Paragraph 6.02 without prior review and prior written concurrence of the termination by U.S. EPA.

6.03. Term. Unless ended in accordance with the Termination paragraph above, by law, or by the Department in the exercise of its discretion, after review and prior written concurrence by U.S. EPA, this Covenant shall continue in effect in perpetuity.

ARTICLE VII MISCELLANEOUS

7.01. No Dedication or Taking. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof, to the general public or anyone else for any purpose whatsoever. Further, nothing set forth in this Covenant shall be construed to effect a taking under state or federal law.

7.02. Recordation. The Covenantor shall record this Covenant, with all referenced Exhibits, in the County of Del Norte within ten (10) days of the Covenantor's receipt of a fully executed original.

7.03. Notices. Whenever any person gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (1) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served, or (2) three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

To Owner: Director of Community Development
 County of Del Norte
 Crescent City, California 95531

 County Counsel
 County of Del Norte
 981 H Street, Suite 220
 Crescent City, California 95531

To DTSC: Barbara J. Cook, P.E., Chief
 Department of Toxic Substances Control
 Northern California-Coastal Cleanup Operations Branch

700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

To U.S. EPA: Kevin Mayer
Superfund Division (SFD-7-3)
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

and:

Bethany Dreyfus, Esq.
Office of Regional Counsel, ORC-3
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.

In the event that the identity of any Owner or Occupant of the Property should change, the new Owner or Occupant shall notify the Department and U.S. EPA, within ten (10) days of becoming an Owner or Occupant of the Property. In the event that the address of any Owner or Occupant of the Property should change, the Owner or Occupant whose address changed shall notify the Department and U.S. EPA within ten (10) days of its change of address.

7.04. Partial Invalidity. If any portion of the Restrictions or other term set forth herein, or the application of it to any person or circumstance, is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant, or the application of such portions to persons or circumstances other than those to which it is found to be invalid, shall remain in full force and effect as if such portion found invalid had not been included herein.

7.05. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed to effect the purpose of this instrument and the policy and purpose of CERCLA. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

7.06. Third Party Beneficiary. U.S. EPA's rights as a third party beneficiary of this Covenant shall be construed pursuant to principles of contract law under the statutory and common law of the State of California

7.07. Statutory References. All statutory references include successor provisions.

IN WITNESS WHEREOF, the Parties execute this Covenant.

Covenantor: County of Del Norte

By: _____



Date: 2/27/2007

Chair of the Del Norte County Board of Supervisors

Department of Toxic Substances Control

By: _____



Date: 3/15/2007

Barbara J. Cook, P.E., Chief
Northern California Coastal Cleanup Operations Branch

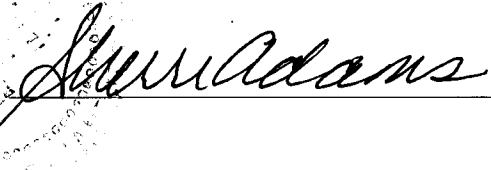
State of California

County of Del Norte

On 2/27/2007 before me, Sherri Adams, Clerk of the Board, County of Del Norte personally appeared David Finigan, Chair, Board of Supervisors, County of Del Norte the person(s) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature



(Seal)


State of California

County of Alameda

On 3/17/07 before me, **Frank Piscitelli, Notary Public**, personally appeared BARBARA JEAN COOK

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (Seal)

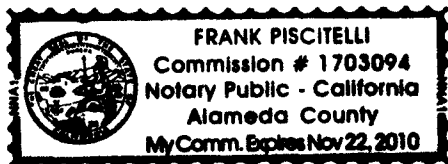


EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY
APN 110-010-22 AND APN 120-020-36

REAL PROPERTY SITUATED IN THE COUNTY OF DEL NORTE, STATE OF CALIFORNIA, BEING A PORTION OF SECTIONS 18 AND 19 TOWNSHIP 16 NORTH, RANGE 1 WEST HUMBOLDT BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE FROM SAID SECTION CORNER ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 18 SOUTH 88°29'07" EAST 135.00' TO THE POINT OF BEGINNING;

THENCE NORTH 1°18'00" EAST 744.00 FEET SAID COURSE HEREINAFTER REFERRED TO AS COURSE "A", SAID WEST LINE BEING PARALLEL TO THE WESTERLY LINE OF THE SOUTHWEST ¼ OF SECTION 18;

THENCE SOUTH 88°29'07" EAST 418.00 FEET;

THENCE SOUTH 44°32'46" EAST 1072.20 FEET TO THE WEST 1/16 CORNER OF SECTIONS 18 AND 19;

THENCE SOUTH 44°32'46" EAST 215.00 FEET TO A POINT LYING ON THE NORTHERN RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 772.00 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH 22°30'31" EAST, THENCE SOUTHWESTERLY ALONG SAID NORTHERN RIGHT-OF-WAY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 21°54'45" AN ARC LENGTH OF 295.25 FEET;

THENCE TANGENT TO LAST SAID COURSE AND CONTINUING ALONG THE NORTHERN RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD SOUTH 89°24'14" WEST 1055.91 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF SAID COURSE "A";

THENCE ALONG SAID SOUTHERLY PROJECTION NORTH 1°18'00" EAST 254.00 FEET TO THE POINT OF BEGINNING.

Exhibit B Depiction of Property in Legal Description



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 Hawthorne Street
San Francisco, CA 94105-3901

MEMORANDUM

DATE: May 24, 2010

SUBJECT: Technical Data Review, Del Norte Pesticide Storage Area
Superfund Site, Third Five Year Review

FROM: Kevin Mayer, EPA Project Manager, SFD-7-2

TO: Cynthia Wetmore, Engineer, SFD 8-4

1. Introduction and Purpose

EPA requested data analysis assistance from the Seattle District, U.S. Army Corps of Engineers in review of the technical project data for the statutorily required Third Five-Year Review (FYR) for the Del Norte Pesticide Storage Area Superfund Site. FYRs are required under the Comprehensive Environmental Resource Compensation and Liability Act (CERCLA) to determine the protectiveness of the implemented remedy. For the Del Norte Superfund Pesticide Storage Area Site, the data review focuses entirely on groundwater monitoring data. This memorandum documents the technical data review and evaluation for the third FYR for the site.

An August 29, 2000 Amendment to the Record of Decision (ROD Amendment) concluded that the groundwater plume was technically impracticable to remediate to cleanup goals. A pump and treatment system that had been operating for approximately seven years was no longer effective at reducing concentrations of the contaminant 1,2-Dichloropropane (1,2- DCP) and that 1,2-DCP levels remained stable whether or not the system was operating. Groundwater monitoring since the second Five-Year Review indicates that residual 1,2-DCP levels remain above the Maximum Contaminant Level (MCL) of 5 micrograms per liter ($\mu\text{g/L}$). Exposure to the remaining on-site 1,2-DCP contamination, however, is being adequately controlled by land and well use restrictions and development policies of Del Norte County, the landowner of the property.

Sampling conducted at the site through October 2009 indicates that contaminant levels appear to have declined naturally in the final two monitoring wells where contamination is still detectable, although the downward trend is not apparent over the most recent years. Monitoring Well (MW) 104 had levels of DCP of 2.0 ppb, and MW 105 had levels of DCP of 6.5 ppb on October 12, 2009.

This memorandum summarizes an analysis of the Del Norte Pesticide Site groundwater data collected from 1990 to 2009, with particular emphasis on the period after the active treatment was discontinued in late 1997. This analysis assesses the 1,2-DCP concentration trend in wells MW-104 and MW-105 with a recommendation for future sampling. Richard Garrison and Dr. Thomas Georgian of the U.S. Army Corps of Engineers provided substantial guidance for this analysis.

2. Time Period of Data

The period of review is 1997 through 2009, the sampling period following closure of operation of the pump and treatment system in October 1997. The end period for this data review is through the October 2009 site sampling event.

3. Background

The Del Norte County Pesticide Storage Area Site is located one mile northwest of Crescent City, next to the Jack McNamara Field airport. Del Norte County operated the Pesticide Storage Area as a repository for pesticide and herbicide containers generated by the local agriculture and forestry industry from 1970 until 1981. The Site was intended to be an interim or emergency storage area for pesticide containers, which previously had been triple-rinsed and punctured. Unfortunately, the pesticide and herbicide containers were improperly handled and wastes and rinse water were improperly disposed of into an unlined sump. Approximately 1,600 drums that held the wastes and rinse water were recovered and recycled by the County Agricultural Department. Groundwater and soil were found to be contaminated with various pesticides, herbicides, and volatile organic compounds (VOCs).

In September 1985, U.S. EPA selected a remedy to address the Site contamination. In 1987, the U.S. EPA removed 300 cubic yards of contaminated soils that were considered to be the source of groundwater contamination. An air stripping groundwater treatment system was built in 1989 and successfully lowered the pesticide 1,2-Dichloropropane (1,2-DCP) level from 2,000 parts per billion (ppb) to 38 ppb in the groundwater prior to discharge to the municipal wastewater treatment system. After 1994, because there was no further reduction of 1,2-DCP via the air stripping treatment system, U.S. EPA selected an alternate cleanup remedy of monitored natural attenuation. A February 2000 Fact Sheet labeled "U.S. EPA proposes plan to select an alternate cleanup remedy," discussed the reasons for discontinuing the air stripping groundwater treatment system and changing to an alternate cleanup remedy.

The Del Norte Pesticide Storage Area was deleted from the National Priorities List in July 2002. However, because the remedy for the Site allowed contaminants in groundwater to remain above drinking water standards indefinitely,

The current Site remedy consists of containing the contaminated groundwater, semi-annual groundwater monitoring, and land use restrictions. The Site groundwater contamination appears to be decreasing through natural physical chemical and/or biological processes. The land use restrictions ensure that the groundwater is not used for drinking water as long as contaminants remain above safe standards. California U.S. EPA is currently the lead at the site and will continue to monitor levels of contaminants in the groundwater at the Site until they are below the drinking water standards (MCL).

4. Data Utilized

The primary constituent of concern that remains in groundwater at the Del Norte Pesticide Storage Site is 1,2-DCP. All available groundwater monitoring data associated

with the Site from the period of review of 1990 through 2009 are presented in the EPA Superfund Record of Decision Amendment and Technical Impracticability Waiver for the Del Norte County Pesticide Storage Area, Crescent City, CA (EPA/AMD/R09-00/113), dated August 29, 2000 and presented in the Thirteenth Semiannual Groundwater Monitoring Report, October 2009 (See Table 3). The end period for this data review is through the October 2009 site sampling event.

5. Groundwater Analytical Data

Ground water levels and contaminant sampling were conducted from four monitoring wells at the Site following closure of the pump and treatment system in October 1997. These wells are near (MW-105) and downgradient (MW-26, MW-104, and MW-107) of the source area.

Data from MW-105 shows 1,2-DCP values that have remained above MCL to present. The data were evaluated to determine historic trend. Concentrations of 1,2-DCP from MW-104 have been below MCL from April 2003 to present. These data were evaluated for trends with recommendation for sampling frequency.

These data were analyzed using the Kendall tau coefficient test, a non-parametric test used to measure the statistical dependence between two datum points, and a trend line fitted to the data plots using the LOWESS method of least squares regression, and a regression analysis. These tests were performed using the statistical software package Minitab with the Ktau macro. The concentrations of 1,2-DCP were a factor of 3 to 6 times higher at the beginning of the pump and treat remedy from March through July 1990 than at any time thereafter (see Table 3). The data prior to October 1997 were not considered in this analysis

MW-105

As highlighted in Table 1, the absolute value of Kendall's tau is closer to one than zero. This indicates good correlation (trend). A statistical test for Kendall's tau indicates there is correlation between concentration and time or decreasing trend at either the 95% or 90% level of confidence. The p-value for Kendall's tau shown in bold print below is less than 0.05 - 0.1, suggesting a stable trend. The data were grouped according to seasonality, wet versus dry season sampling. The p-values for each were greater than 0.05, indicating no statistical significance to the seasonal trends.

Table 1. Kendall Tau Descriptive Statistics: 1,2-DCP MW-105

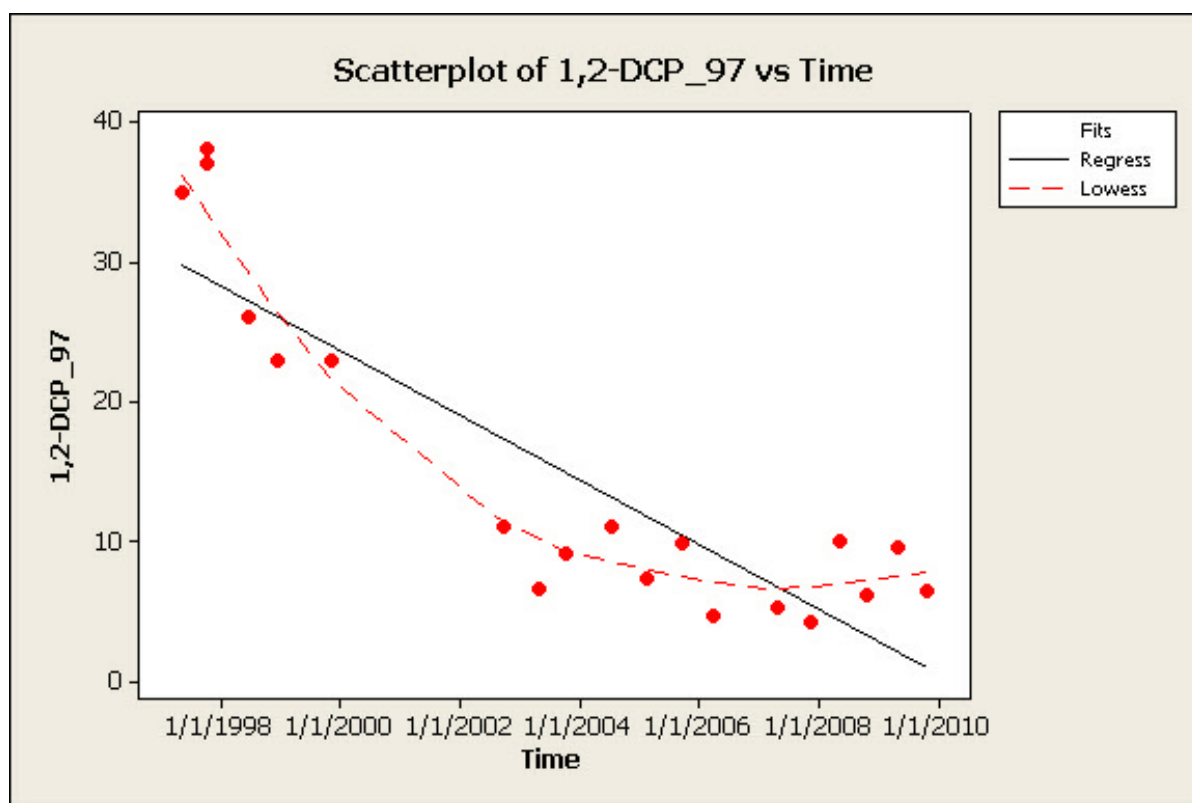
Variable	N	Mean	Median	StDev	SE Mean
Time	16	38350	38500	5887	1328
12DCP MW-105	16	10.84	9.35	25.3	6.90

Variable	Minimum	Maximum	Q1	Q3
Time	35957	40098	37573	39524
12DCP MW-105	4.2	26.0	6.28	11.0

Row	CORRTYPE	CORR_VAL	P_VALUE
1	KENDALL'S TAU_A	-0.500	0.0077740
2	KENDALL'S TAU_B	-0.504	0.0077740

Grouped by Season

Row	SEA2	N_SEA	S_TAU	TAU_A	Z_S	P_VALUE	INTRCEPT	SLOPE
1	dry	7	-10	-0.476190	-1.36720	0.171563	92.6165	-0.0021631
2	wet	6	5	0.333333	0.75147	0.452370	-48.8843	0.0014332

**Figure 1. Scatter Plot, Regression Line, and LOWESS Curve, MW-105**

The LOWESS Curve in red and regression line for MW-105 (Figure 1) shows decreasing concentrations. A fitted line plot with 90 percent confidence intervals is shown in Figure 2.

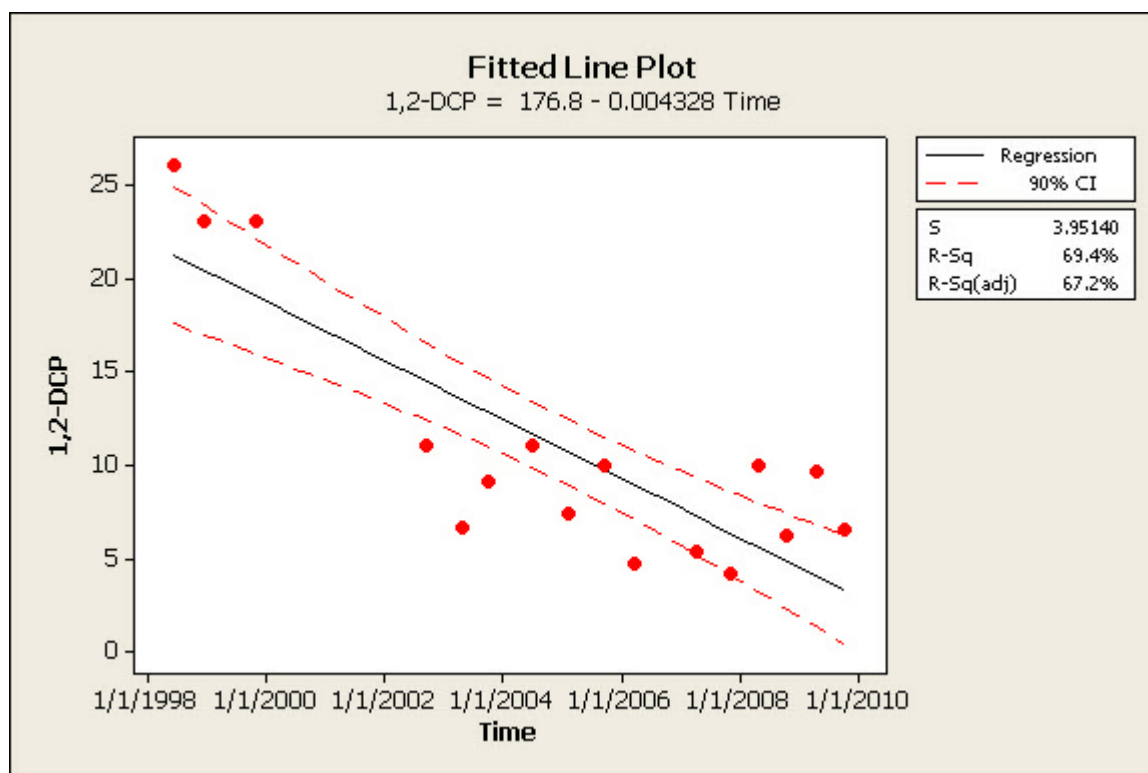


Figure 2. Regression Analysis – Fitted Line Plot, MW-105
(Does not included the three samples from 1997 shown in Fig. 1)

MW-104

A Mann-Kendall Statistical analysis shows that the concentration trend of 1,2-DCP in monitoring well, MW-104 is probably decreasing with a confidence in trend of 92 per cent.. The data was grouped according to seasonality, wet versus dry season sampling. The p-values for each were less than 0.5, indicating decreasing statistical trends for each season. Figure 3 shows the smoothed LOWESS curve, and the fitted line plot with 90 per cent confidence interval is presented in Figure 4.

Table 2. Kendall Tau Descriptive Statistics: 1,2-DCP MW-104

<u>Grouped by Season</u>								
Row	SEA2	N_SEA	S_TAU	TAU_A	Z_S	P_VALUE	INTRCEPT	SLOPE
1	dry	6	-9	-0.600000	-1.50294	0.132855	45.4439	-0.0011050
2	wet	6	-11	-0.733333	-1.87867	0.060289	33.8136	-0.0008326

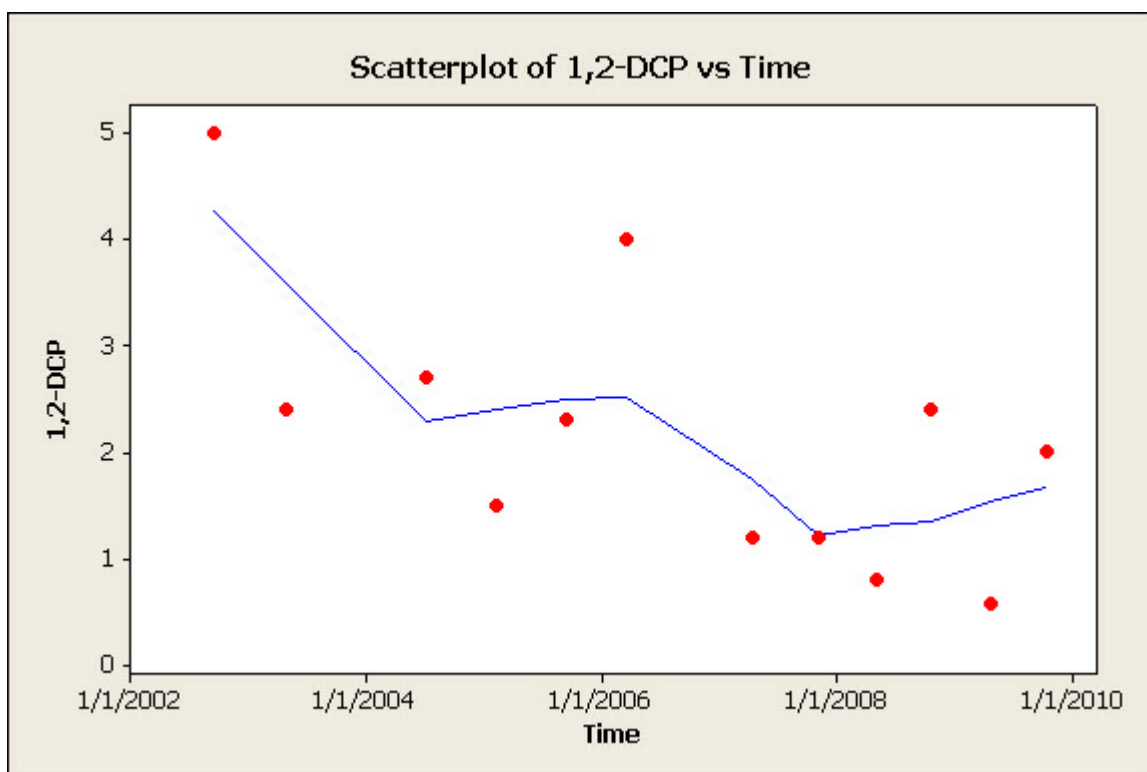


Figure 3. Scatter Plot and LOWESS Curve, MW-104

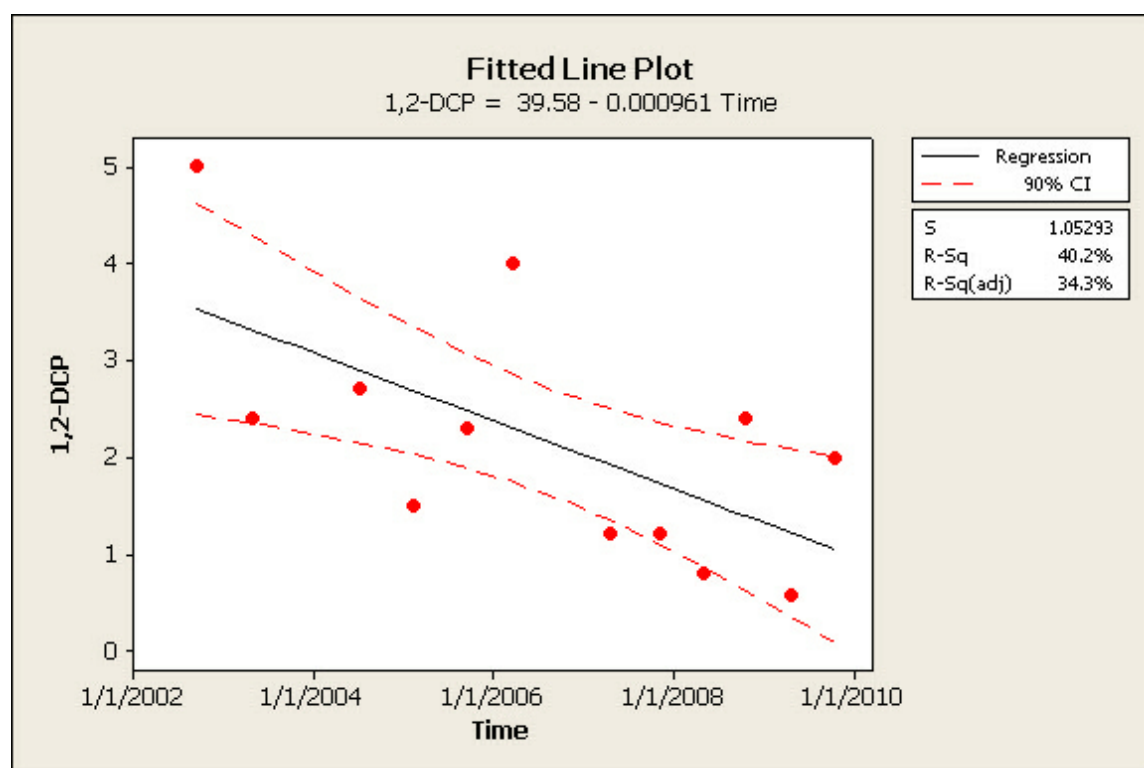


Figure 4. Regression Analysis – Fitted Line Plot, MW-104

6. Analysis and Conclusions

For well MW-105, there is no decreasing (downward) statistical trend for concentration of 1,2-DCP. Therefore, it would not be appropriate to attempt to fit a linear model to extrapolate to the time the concentration in the well will fall below the MCL. Concentration of 1,2-DCP in MW-104 is already below the MCL and there is no statistical indication of any increase.

As a trend was not detected, the EPA program VSP was used to estimate that seven future yearly rounds should be adequate to detect a downward trend. Alternatively, nine future rounds done every six months should be adequate. This considers a 5 percent false rejection of a null hypothesis of no trend line, a 10 percent false acceptance, a significant difference of one standard deviation of residuals from the regression line, and a linear model for trends.

An examination of the seasonal differences in the data from each well indicates that data trends are similar in either season at both wells. The timing of monitoring well sampling should not affect the results if the sampling frequency was reduced.

Table 3

1,2-DCP Concentrations

TABLE 3 SELECTED GROUNDWATER MONITORING WELL SAMPLE RESULTS Del Norte County Pesticides Storage Area Site					
MW-104		MW-105		MW-25	
Sampling Date	1,2-DCP (ug/L)	Sampling Date	1,2-DCP (ug/L)	Sampling Date	1,2-DCP (ug/L)
3/24/90	250	3/24/90	220	3/24/90	25
		3/24/90	250		
3/29/90	230				
3/29/90	240				
4/21/90	310	4/21/90	90		
		4/22/90	400		
4/23/90	220	4/23/90	180		
4/23/90	280	4/23/90	230		
4/26/90	430	4/26/90	460		
5/8/90	260	5/8/90	410		
5/22/90	240	5/22/90	330		
		5/22/90	450	5/22/90	23
6/21/90	130	6/21/90	300		
7/26/90	370	7/26/90	260	7/26/90	18
12/6/90	100	12/6/90	73	12/6/90	19
12/6/90	110	12/6/90	73		
		12/6/90	90		
4/18/91	130	4/18/91	91	4/18/91	20
8/28/91	52	8/28/91	57	8/28/91	23
		8/28/91	57		
11/7/91	89	11/7/91	63	11/7/91	23
2/26/92	96	2/26/92	30	2/26/92	11
2/26/92	99				
12/10/92	77	12/10/92	22	12/10/92	11
8/3/93	87	8/3/93	34	8/3/93	13.8
8/3/93	91				
11/17/93	92	11/17/93	72	11/17/93	18
		11/17/93	77		
2/28/94	43	2/28/94	21	2/28/94	8
6/17/94	130	6/17/94	23	6/17/94	6.3
12/14/94	37	12/14/94	12	12/14/94	3.8

 No Sample

MW-26		MW-104		MW-105		MW-107	
Sampling Date	1,2-DCP (µg/L)	Sampling Date	1,2-DCP (µg/L)	Sampling Date	1,2-DCP (µg/L)	Sampling Date	1,2-DCP (µg/L)
09/18/02	ND	09/18/02	5.0	09/18/02	11.0	09/18/02	ND
04/28/03	ND	04/28/03	2.4	04/28/03	6.6	04/28/03	ND
10/07/03	ND	10/07/03	ND	10/07/03	9.1	10/07/03	Not sampled
07/07/04	ND	07/07/04	2.7	07/07/04	11.0	07/07/04	ND
02/07/05	ND	02/07/05	1.5	02/07/05	7.4	02/07/05	ND
09/14/05	ND	09/14/05	2.3	09/14/05	9.9	09/14/05	ND
03/20/06	ND	03/20/06	4.0	03/20/06	4.7	03/20/06	ND
04/16/07	ND	04/16/07	1.2	04/16/07	5.3	04/16/07	ND
11/05/07	ND	11/05/07	1.2	11/05/07	4.2	11/05/07	ND
04/30/08	ND	04/30/08	0.8	04/30/08	10.0	04/30/08	ND
10/15/08	ND	10/15/08	2.4	10/15/08	6.2	10/15/08	ND
04/22/09	ND	04/22/09	0.6	04/22/09	9.6	04/22/09	ND
10/12/09	Not sampled	10/12/09	2.0	10/12/09	6.5	10/12/09	Not sampled



COUNTY OF DEL NORTE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH BRANCH

880 Northcrest Drive
Crescent City, California 95531

Phone
(707) 464-3191

Gary R. Blatnick, Director/Public Guardian
Thomas J. Martinelli, M.D. FACP, Public Health Officer

Fax
(707) 465-1783

November 10, 2009

Mr. Alex Lee
Project Manager
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 97410-2721

Dear Mr. Lee:

Enclosed is the Thirteenth Semiannual Groundwater Monitoring Report for the **Del Norte County Pesticide Storage Area** site, Crescent City, California.

If you have any questions about this matter, please contact me at (707) 464-3191 ext. 341.

Very truly yours,

Leon A. Perreault, R.E.H.S.
Director of Environmental Health

enclosure



COUNTY OF DEL NORTE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH BRANCH

880 Northcrest Drive
Crescent City, California 95531

Phone
(707) 464-3191

Gary R. Blatnick, Director/Public Guardian
Thomas J. Martinelli, M.D. FACP, Public Health Officer

Fax
(707) 465-1783

**SEMIANNUAL GROUNDWATER MONITORING REPORT
THIRTEENTH SAMPLING CYCLE**

October, 2009

**Del Norte Pesticide Storage Area
Del Norte County Agriculture Department
2650 West Washington Boulevard
Crescent City, California
June 22, 2009**

INTRODUCTION

This report summarizes the monitoring well sampling done by Del Norte County Health and Human Services Department, Environmental Health Unit, on October 12, 2009. The monitoring well sampling was done pursuant to an agreement between Del Norte County, The State of California Department of Toxic Substances Control (DTSC), and the Federal Environmental Protection Agency (EPA).

SITE HISTORY

The Del Norte Pesticide Storage Area is located approximately one mile north of Crescent City, California and is adjacent to Jack McNamara Field, the county airport. The site is relatively flat and lies approximately 42 feet above mean sea level. Groundwater has been estimated to flow toward the southeast

The Pesticide Storage Area was established as a point of consolidation for pesticide containers in Del Norte County. The containers were rinsed onsite and improper rinseate disposal resulted in soil and water contamination.

Groundwater treatment by EPA was conducted for a number of years. The treatment facility has been decommissioned and removed.

As part of a Consent Decree between DTSC, EPA and Del Norte County, Del Norte County Health and Social Services Department, Environmental Health Section is to conduct semiannual sampling of the four remaining monitoring wells for

1,2-Dichloropropane. Two pumping wells remain at the site, but no sampling of these wells is currently being done.

GROUNDWATER MONITORING FIELD ACTIVITIES

Groundwater sampling was done in accordance with the *Groundwater Monitoring Plan for Del Norte Pesticide Storage Area*, June 6, 2001.

Date of field activities:	October 12, 2009
Wells sampled:	MW-104, MW-105
Wells gauged:	MW-104, MW-105
Water analyses:	1,2-Dichloropropane
Laboratory:	North Coast Laboratories 5680 West End Road Arcata, California 95521

Depth to water:	MW-26	Not recorded
	MW- 104	8.79 feet
	MW-105	9.14 feet
	MW-107	Not recorded

Depth to water was measured with an Envirotech ET-H 100 water level meter.

Groundwater quality and hydrological data are presented in **Table 1**.

Historical groundwater level data and 1,2-Dichloropropane concentrations are presented in **Table 2**.

NOTES

In MW-105, the static water level was markedly lower after purging. Depth to water before purging was 7.59 feet and after purging was 9.14 feet. MW-104 again produced about a cupful fine of fine sand when purged.

Rainfall has been much below average since the last sampling event.

APPENDIX

Laboratory reports and chain of custody documents are presented in Appendix A.

Very truly yours,



Leon A. Perreault
Director of Environmental Health
California Registered Environmental Health Specialist #5740

Table 1
GROUNDWATER ELEVATIONS AND ANALYTICAL RESULTS
Del Norte Pesticide Storage Area
2650 West Washington Boulevard
Crescent City, California

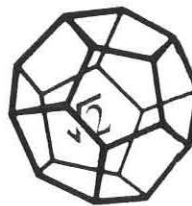
Well No.	Sampling Date	Depth to Water (feet)	1,2-Dichloropropane (ug/L)
MW-26	Not sampled during this cycle per agreement.		
MW-104	10/12/09	8.79	2.0
MW-105	10/12/09	9.14	6.5
MW-107	Not sampled during this cycle per agreement.		

Table 2
HISTORICAL GROUNDWATER
ELEVATIONS AND ANALYTICAL RESULTS
Del Norte Pesticide Storage Area
2650 West Washington Boulevard
Crescent City, California

Well No.	Sampling Date	Depth to Water (feet)	1,2-Dichloropropane (ug/L)
MW-26	09/18/02	6.36	ND
	04/28/03	1.22	ND
	10/07/03	6.80	ND
	07/07/04	5.25	ND
	02/07/05	2.59	ND
	09/14/05	5.89	ND
	03/20/06	1.90	ND
	04/16/07	2.21	ND
	11/05/07	4.37	ND
	04/30/08	3.04	ND
	10/15/08	6.57	ND
	04/22/09	3.62	ND
	10/12/09	Not recorded	Not sampled
MW-104	09/09/02	9.33	5.0
	04/25/03	3.35	2.4
	12/10/03	5.74	ND
	07/06/04	7.40	2.7
	02/07/05	4.75	1.5
	09/14/05	7.89	2.3
	03/20/06	4.00	4.0
	04/16/07	4.44	1.2
	11/05/07	6.50	1.2
	04/30/08	5.16	0.79
	10/15/08	8.45	2.4
	04/22/09	5.41	0.58
	10/12/09	8.79	2.0
MW-105	09/18/02	8.13	11.0
	04/28/03	3.20	6.6
	12/10/03	5.15	9.1
	07/07/04	7.11	11.0
	02/07/05	4.75	7.4
	09/14/05	7.82	9.9
	03/20/06	4.00	4.7
	04/16/07	4.19	5.3
	11/05/07	6.51	4.2
	04/30/08	5.18	10.0
	10/15/08	8.57	6.2
	04/22/09	5.62	9.6
	10/12/09	9.14	6.5

MW-107	09/09/02	9.61	ND
	04/25/03	4.33	ND
	12/10/03	6.79	Not sampled
	07/07/04	8.71	ND
	02/07/05	5.80	ND
	09/14/05	9.79	ND
	03/20/06	4.89	ND
	04/16/07	5.69	ND
	11/05/07	8.32	ND
	04/30/08	6.64	ND
	10/15/08	10.68	ND
	04/22/09	7.39	ND
	10/12/09	Not recorded	Not sampled

APPENDIX A



**NORTH COAST
LABORATORIES LTD.**

October 20, 2009

Del Norte County Health Department
880 Northcrest Drive
Crescent City, CA 95531

Attn: Leon Perreault

RE: Del Norte Ag Site

Order No.: 0910288

Invoice No.: 85604

PO No.:

ELAP No.1247-Expires June 2010

SAMPLE IDENTIFICATION

Fraction Client Sample Description

01A MW-104

02A MW-105

ND = Not Detected at the Reporting Limit


Limit = Reporting Limit

All solid results are expressed on a wet-weight basis unless otherwise noted.

REPORT CERTIFIED BY


Laboratory Supervisor(s)


QA Unit


Jesse G. Chaney, Jr.
Laboratory Director

Date: 20-Oct-2009
WorkOrder: 0910288

ANALYTICAL REPORT

Client Sample ID: MW-104
Lab ID: 0910288-01A

Received: 10/13/2009 Collected: 10/12/2009 10:15

Test Name: EPA 524.2

Reference: EPA 524.2

<u>Parameter</u>	<u>Result</u>	<u>Limit</u>	<u>Units</u>	<u>DF</u>	<u>Extracted</u>	<u>Analyzed</u>
1,2-Dichloropropane	2.0	0.50	µg/L	1.0		10/16/2009
Surrogate: 1,2-Dichlorobenzene-d4	100	70-130	% Rec	1.0		10/16/2009
Surrogate: 1-Bromo-4-fluorobenzene	88.6	70-130	% Rec	1.0		10/16/2009

Client Sample ID: MW-105
Lab ID: 0910288-02A

Received: 10/13/2009 Collected: 10/12/2009 11:50

Test Name: EPA 524.2

Reference: EPA 524.2

<u>Parameter</u>	<u>Result</u>	<u>Limit</u>	<u>Units</u>	<u>DF</u>	<u>Extracted</u>	<u>Analyzed</u>
1,2-Dichloropropane	6.5	0.50	µg/L	1.0		10/16/2009
Surrogate: 1,2-Dichlorobenzene-d4	95.6	70-130	% Rec	1.0		10/16/2009
Surrogate: 1-Bromo-4-fluorobenzene	91.2	70-130	% Rec	1.0		10/16/2009



Chain of Custody

Attention: LEON PERREAU
Results & Invoice to: DEL NORTE CO. ENV. HEALTH
Address: 880 NORTHCREST DRIVE
CRESSENT CITY, CA 95521
Phone: 707-464-3191
Copies of Report to: _____

Sampler (Sign & Print): LEINAPERRAULT *Leinaperra*

Project Number: _____
Project Name: DEL NORTE AG SITE
Purchase Order Number: _____

[illegible]

TAT: ☒ STD (2-3 Wk) ☐ Other:
PRIOR AUTHORIZATION IS REQUIRED FOR
RUSH SAMPLES.

☒ State Forms
☐ Geotracker ☐ SWAMP ☐ Other EDD:
☐ Final Report PDF ☐ FAX By:

CONTAINER CODES: 1—½ gal. pl; 2—250 ml pl;
3—500 ml pl; 4—1 L Nalgene; 5—250 ml BG;
6—500 ml BG; 7—1 L BG; 8—40 ml VOA;
9—60 ml VOA; 10—125 ml VOA; 11—4 oz glass jar;
12—8 oz glass jar; 13—brass tube; 14—other
PRESERVATIVE CODES: a—HNO₃; b—HCl; c—H₂SO₄;
d—Na₂S₂O₃; e—NaOH; f—C₂H₃O₂Cl; g—other

☐ NCL Disposal of Non-Contaminated
☐ Return ☐ Pickup

CHAIN OF CUSTODY SEALS Y/N/NA
SHIPPED VIA: UPS Fed-Ex Hand

RELINQUISHED BY (Sign & Print)	DATE/TIME	RECEIVED BY (Sign)	DATE/TIME
LEOLA PERREault <i>Leola Perreault</i>	10/13/09 0830	<i>fg</i>	
		10/13/09	1020
		4.78	

***MATRIX:** DW=Drinking Water; Eff=Effluent; Inf=Influent; SW=Surface Water; GW=Ground Water; WW = Waste Water; S= Soil; O= Other.

ALL CONTAMINATED NON-AQUEOUS SAMPLES WILL BE RETURNED TO CLIENT



COUNTY OF DEL NORTE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Branch

880 Northcrest Drive
Crescent City, California 95531

Phone
(707) 464-3191

Gary R. Blatnick, Director/Public Guardian
Thomas J. Martinelli, M.D. FACP, Public Health Officer

Fax
(707) 465-6701

September 17, 2007

Mr. Kevin Mayer
United States Environmental Protection Agency
75 Hawthorne St.
San Francisco, CA 94015

Dear Mr. Mayer:

I have completed the wellhead repairs to MW-26, MW-104, and MW-105 at the Del Norte County Pesticide Storage Area. The wellheads were fitted with full caps like the one already installed on MW-107. They are now secure. Please see the enclosed photographs.

Brushing work has been completed as well and will continue as periodic maintenance.

If you have any questions about this matter, please contact Leon Perreault at (707) 464-3191, ext. 341.

Very truly yours,

Thomas J. Martinelli, M.D.
Health Officer

by Leon A. Perreault, R.E.H.S.
Lead Environmental Scientist

enclosure





PUBLIC NOTICE
FIVE-YEAR REVIEW OF CLEANUP AT THE
DEL NORTE PESTICIDE STORAGE SUPERFUND SITE

The United States Environmental Protection Agency (EPA) and the California Department of Toxic Substances Control (DTSC) have begun the third five-year review of cleanup actions undertaken at the Del Norte Pesticide Storage Superfund Site (Site), in Crescent City, CA. The review will evaluate whether the cleanup actions for the Site remain protective of human health and the environment.

THE REVIEW PROCESS

Specifically, EPA and DTSC will look at the data from the last five years on contaminant movement and concentrations in the shallow groundwater at the site. The contaminant is 1,2-dichloropropane (DCP), a pesticide which had been used to control nematode worms on roots and bulbs. We will examine the effectiveness of the monitoring activities and ensure that all legal documents regarding restrictions on groundwater use are working as intended. We will also review any changes in scientific knowledge or regulatory status of the remaining site contaminants.

Upon completion of the review, a copy of the final report will be placed in the local information repository listed below and a notice will appear announcing the completion of the Five-Year Review Report in the local paper.

COMMUNITY INVOLVEMENT

DTSC and EPA are always interested in hearing from the public. If you have any issues or concerns about the Del Norte Site's cleanup plan, and particularly if you have direct knowledge that could affect our review, we would like to talk with you. Please contact Kevin Mayer, EPA Project Manager, or Alex Lee, DTSC Project Manager. If you would like to receive future communication, please contact Svetlana Zenkin, EPA Community Involvement Coordinator.

FOR MORE INFORMATION

Please visit the SITE website at:

www.epa.gov/region09/DelNortePesticide

www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=08420001

You can also visit the information repository to review the administrative record.

INFORMATION REPOSITORY:

Del Norte County Library District
190 Price Mall, Crescent City, CA 95531

EPA Superfund Records Center
95 Hawthorne St.
San Francisco, CA 94105
(415) 536-2000

Department of Toxic Substances Control
File Room
700 Heinz Avenue
Berkeley, CA 94710
(510) 540-3800 (Call for appointment)

CONTACT INFORMATION:

Kevin Mayer
Remedial Project Manager
75 Hawthorne St. (SFD 7-2)
San Francisco, CA 94105
(415) 972-3176
mayer.kevin@epa.gov

Svetlana Zenkin
Community Involvement Coordinator
75 Hawthorne St. (SFD-6-3)
San Francisco, CA 94105
1(800) 231-3075 or 1(415) 972-3085
zenkin.svetlana@epa.gov

Alex Lee
Hazardous Substances Scientist
Department of Toxic Substances Control
California Environmental Protection Agency
700 Heinz Avenue
Berkeley, CA 94710-2721
510-540-3844
alee@dtsc.ca.gov

CNS#1860378

2 col 3.83" x 6.5"
Daily Triplicate

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 Hawthorne Street
San Francisco CA 94105-3901**

Memorandum

DATE: 26 May 2010

FROM: Ned Black, Ph.D.
Regional CERCLA Ecologist/Microbiologist, SFD-8-4

TO: Kevin Mayer, PE, Remedial Project Manager, SFD-7-2

SUBJECT: Evaluation of ecological risk for the five year review of Del Norte
Pesticide Storage (CAD000626176), Crescent City, CA

The remedy under five year review for this site is adequately protective of the environment. A preliminary review of the information for this site identified two possible contaminant exposure routes to ecological receptors. These were exposure to chromium in site soils and exposure to chlorinated pesticides in surface water expressions of the contaminated ground water plume. However, the 1989 Explanation of Significant Differences for the Remedial Action at the Del Norte Pesticide Site determined that the soil chromium is attributable to background geology and so requires no risk management. With regard to the contaminants in ground water, the ground water monitoring program has demonstrated the contaminant plume is shrinking and all surface water expressions of ground water in the area near the site are upgradient of the contaminant plume. As such, it is clear there are no complete exposure pathways to ecological receptors.



Crescent Land Title Company
890 Third Street, Crescent City, CA 95531
(707)464-9723 Phone (707)465-1852 Fax

PRELIMINARY REPORT

ESCROW OFFICER: Liz Freeland
TITLE OFFICER: Sally Campbell

ORDER NO. 22158LF
LOAN NO.

TO: United States Army Corp of Engineers
County of Del Norte

PROPERTY ADDRESS: 000 Washington Boulevard, Crescent City, CA 95531

EFFECTIVE DATE: June 19, 2010 at 07:30AM.

THE FORM OF POLICY OF TITLE INSURANCE CONTEMPLATED BY THIS REPORT IS:

Preliminary Report Only

THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO
COVERED BY THIS REPORT IS:

A fee

TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Del Norte County, a political subdivision of the State of California

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA,
COUNTY OF DEL NORTE AND IS DESCRIBED AS FOLLOWS:

The True Point of Beginning bears South 88 degrees 29 minutes 07 seconds East 135.000 feet from the Section Corner 13/18/19/24; thence North 1 degree 18 minutes, 00 seconds East, for 744.000 feet; thence South 88 degrees 29 minutes 07 seconds East for 418.000 feet; thence South 44 degrees 32 minutes 46 seconds East for 1072.202 feet to the W1/16 Section 18/19; thence South 44 degrees 32 minutes 46 seconds East for 215.000 feet to the approximate Northerly right-of-way of Washington Boulevard; thence along said right-of-way, 772.000 feet radius curve to the Right (chord bears South 78 degrees 32 minutes 00 seconds West 293.450 feet) 295.246 feet; thence South 89 degrees 24 minutes 14 seconds West for 1055.911 feet along the approximate Northerly right-of-way to a point South 1 degrees 18 minutes 00 seconds West for 254.000 feet from the True point of Beginning.

NOTE: Said legal description describes the property in question as well as adjoining property to the North.

**AT THE TIME HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO
COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN
SAID POLICY FORM WOULD BE AS FOLLOWS:**

1. **Property taxes**, which are a lien but not yet payable, including any assessments collected with taxes, to be levied for the fiscal year 2010-11, TAXES ARE EXEMPT.

Property taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009-10, Assessor's Parcel No. 120-020-36

2. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 Revenue and Taxation Code, Sections 75 et-seq, TAXES ARE EXEMPT.

3. **A covenant and agreement** entitled "Covenant To Restrict Use Of Property and Environmental Restriction.

Executed by: California Department of Toxic Substances Control
In favor of: County of Del Norte
Recorded: April 17, 2002
Instrument No. 20022187, Del Norte County Records.

Which among other things provides: To protect present or future human health or safety or the environment as a result of the presence on the land of a hazardous material as defined in Health and Safety Code ("HSC") section 25260.

Reference is hereby made to said document for full particulars.

Re-recorded: July 31, 2002
Instrument No. 20024191, Del Norte County Records.

4. **A covenant and agreement** entitled "Covenant to Restrict Use of Property and Environmental Restriction".

Executed by: County of Del Norte and California Department of Toxic Substances Control
In favor of: County of Del Norte
Recorded: March 20, 2007
Instrument No. 20071592, Del Norte County Records

Which among other things provides: Present or future human health or safety or the environment as a result of the presence on the land of a hazardous material.

Reference is hereby made to said document for full particulars.

5. **Information in** possession of the Company indicates that a division of land may have occurred involving the land described herein. Although the policy or policies of title insurance contemplated hereby will not insure against loss or damage by reason of any claim that the land described herein may not constitute a lawfully created parcel according to the Subdivision Map Act (Section 66410 et seq. of the California Government Code) and local ordinances adopted pursuant thereto, the county of Del Norte may require one or more of the following prior to issuance of permits for development of the land:
- a. A Certificate of compliance recorded in the public records.
 - b. Filing of a final map or parcel map.
 - c. A waiver of a final map or parcel map.

END OF ITEMS

NOTES:

Note A. Section 12413.1, California Insurance Code became effective January 1, 1990. This legislation deals with the disbursement of funds with any title entity acting in an escrow or sub-escrow capacity. The law requires that all funds be deposited and collected by the title entity's escrow and/or sub-escrow account prior to disbursement of any funds. Some methods of funding may subject funds to a holding period which must expire before any funds may be disbursed. In order to avoid any such delays, all fundings should be done through wire transfer, certified check or checks drawn on California financial institutions.

Note B. The charge where an order is cancelled after the issuance of the report of title, will be the amount which in the opinion of the Company is proper compensation for services rendered or the purpose for which the report is used, but in no event shall said charge be less than the minimum amount required under Section 12404.1 of the Insurance code of the State of California. If the report cannot be cancelled "no fee" pursuant to the provisions of said insurance code, then the minimum cancellation fee shall be \$396.00.

Note C. California Revenue and Taxation Code Section 18662, effective January 1, 2003, requires the buyer in all sales of California Real Estate to withhold 3-1/3% of the total sales price as California State Income Tax, subject to the various provisions of the law therein contained.

END OF NOTES

PRELIMINARY REPORT

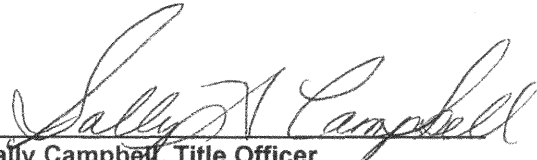
In response to the application for a policy of title insurance, Crescent Land Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.


Sally Campbell, Title Officer



Crescent Land Title Company

Returned to:
County Clerk's Office

1460

STATE OF CALIFORNIA

QUITCLAIM DEED

RECORDED AT REQUEST OF

ST. of Cal. Real Estate

OFFICIAL RECORDS

MAY 30 12 24 PM '72

DEL NORTE COUNTY CLERK

HUGH A. DELL, REC'D. BY

BY *[Signature]* CLERK

Pursuant to the provisions of Chapter 1851, Statutes of 1961, the STATE OF CALIFORNIA, through its duly appointed, qualified and acting Director of General Services, hereby grants to the COUNTY OF DEL NORTE, a body corporate and politic in the State of California, the following described real property in the County of Del Norte, State of California:

$E\frac{1}{2}$ of $E\frac{1}{2}$ & $E\frac{1}{2}$ of $W\frac{1}{2}$ of $E\frac{1}{2}$ of Sec. 13, Twp. 16 N., R. 2 W., H.M.
 $W\frac{1}{2}$ of $W\frac{1}{2}$ of $N\frac{1}{2}$ of $SW\frac{1}{4}$ of Sec. 18, Twp. 16 N., R. 1 W., H.M.

EXCEPTING AND RESERVING THEREFROM all deposits of minerals, including oil and gas, lying below the depth of five hundred feet, without however, the right to drill or mine through the surface thereof.

IN WITNESS WHEREOF, the State has caused this Quitclaim Deed to be executed this 26th day of May, 1972.

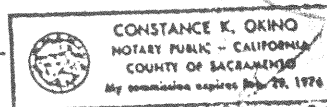
STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
LAWRENCE R. ROBINSON, JR., DIRECTOR

By *[Signature]*
VAUGHN W. MILLER
Chief Land Agent

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On this 26th day of May, 1972, before me, Constance K. Okino, a Notary Public in and for the County of Sacramento, State of California, personally appeared VAUGHN W. MILLER, Chief Land Agent, Property Acquisition Division, for the Department of General Services, State of California, and known to me to be the person who executed the within instrument on behalf of said State of California and acknowledged to me that he executed the same as the free act and deed of said State of California.

WITNESS my hand and official seal. *[Signature]*



BOOK 163 PAGE 339

Returned to:
County Clerk's Office

1460

110-01-5

STATE OF CALIFORNIA

QUITCLAIM DEED

RECORDED AT REQUEST OF

SL of Calif. Dept. of Gen. Serv.

OFFICIAL RECORDS

MAY 30 12 24 PM '72

DEL NORTE COUNTY CALIF.
MUCH A DELL REC-LER
BY [Signature] 0:2011

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W $\frac{1}{2}$ of W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 18, Twp. 16 N., R. 1 W., H.M.

EXCEPTING AND RESERVING THEREFROM all deposits of minerals, including oil and gas, lying below the depth of five hundred feet, without however, the right to drill or mine through the surface thereof.

IN WITNESS WHEREOF, the State has caused this Quitclaim Deed to be executed this 26th day of May, 1972.

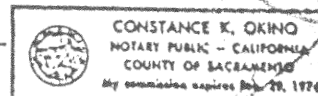
STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
LAWRENCE R. ROBINSON, JR., DIRECTOR

By [Signature]
VAUGHN W. MILLER
Chief Land Agent

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss

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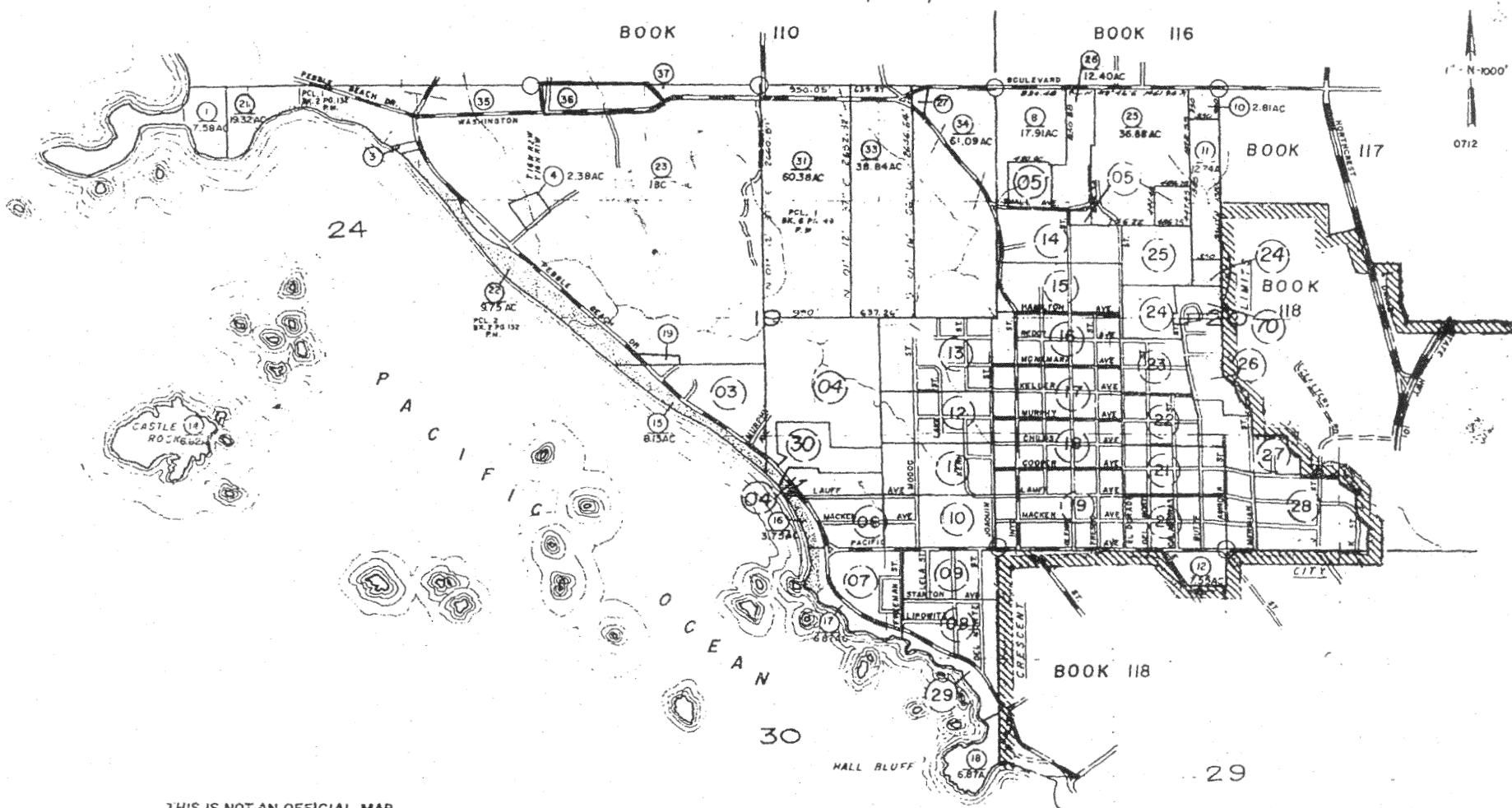
WITNESS my hand and official seal. Constance K. Okino



BOOK 163 PAGE 339

SEC'S 19,30 & POR. SEC'S 20 & 29 T.16N.,R.1W.,H.B.&M.
SEC. 24 T.16N.,R.2W.,H.B.&M.

120-02



THIS IS NOT AN OFFICIAL MAP
FOR ASSESSMENT PURPOSES ONLY

JUN 13 2002

92
RECORDING REQUESTED BY:)
County of Del Norte)

Doc # 0022187
Page 1 of 12
Date: 4/17/2002 01:02P
Filed by: GENERAL PUBLIC
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
VICKI L. FRAZIER
COUNTY CLERK-RECORDER
Fee: \$0.00

WHEN RECORDED, MAIL TO:)

Barbara J. Cook, P.E., Chief)
Department of Toxic Substances Control)
Northern California - Coastal)
Cleanup Operations Branch)
700 Heinz Avenue, Suite 200)
Berkeley, California 94710-2721)

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COVENANT TO RESTRICT USE OF PROPERTY
(Health and Safety Code section 25355.5)

ENVIRONMENTAL RESTRICTION (Civil Code section 1471(c))

(Re: Del Norte Pesticide Storage Area @ 2650 Washington Boulevard,
Crescent City, Del Norte County, California, Parcel #s: 120-020-36)

This Covenant and Agreement ("Covenant") is made by and between the County of Del Norte, a county of the State of California (the "Covenantor"), the current owner of property situated near the community of Crescent City, County of Del Norte, State of California, described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"), and the California Department of Toxic Substances Control ("the Department"). Pursuant to Civil Code section 1471(c), the Department has determined that this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of a hazardous material as defined in Health and Safety Code ("HSC") section 25260. The Covenantor and the Department, collectively referred to as the "Parties", hereby agree, pursuant to Civil Code section 1471(c) and HSC section 25355.5 that the use of the Property be restricted as set forth in this Covenant. The Parties further intend that the provisions of this Covenant also be for the benefit of the U.S. Environmental Protection Agency ("U.S. EPA") as a third party beneficiary.

G-10

(S)

ARTICLE I
STATEMENT OF FACTS

1.01. The Property is owned by the County of Del Norte and is more particularly described and depicted in Exhibit "A". An area overlying groundwater contaminated by 1,2-Dichloropropane is within the Property. The Property is more specifically described as Del Norte County Assessor's Parcel Number: 120-020-36.

1.02. A hazardous substance, as defined in HSC section 25316; section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601(14); and 40 Code of Federal Regulations ("C.F.R.") §§ 261.3 and 302.4 remains on portions of the Property.

1.03. U.S. EPA has been remediating the Property. The Property is part of the Del Norte County Pesticide Storage Area National Priorities List (NPL) site (Site ID No. 0900923; CERCLIS: CAD000626176) and is being remediated pursuant to a Record of Decision and an Amendment to the Record of Decision pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), 42 U.S.C. Sections 9601 et seq., and with the National Contingency Plan (40 C.F.R. Part 300), administered by the U.S. EPA. The U.S. EPA circulated the Remedial Investigation Report, Feasibility Study and Proposed Plan for public review and comment. The Record of Decision was approved by U.S. EPA on September 30, 1985 and identified excavation and off-site disposal of contaminated soil and extraction and treatment of contaminated groundwater as primary components of the remedy. Contaminated soil has been remediated as required by the Record of Decision. A groundwater extraction and treatment system operated continuously from April 1990 to December 1994. There were two shutdowns of approximately six-months duration in 1995 and 1996 and the groundwater and extraction system was permanently shut down in October 1997. The purpose of the shutdowns was to determine the effect on mass removal and contaminant concentrations. U.S. EPA ultimately concluded that the observed rate of contaminant reduction was the same whether or not the groundwater extraction and treatment system was operating. This conclusion lead to U.S. EPA approving the Amendment to the Record of Decision on August 29, 2000 that changed the groundwater part of the remedy from extraction and treatment to containment through natural attenuation with semi-annual sampling of selected groundwater monitoring wells. Semi-annual groundwater sampling performed since system operation was discontinued indicates that concentrations of 1,2-Dichloropropane are declining slowly. Because 1,2-Dichloropropane, a hazardous substance, as defined in HSC section 25316 and a hazardous material as defined in HSC section 25260, will continue to remain in groundwater under portions of the Property, the Amendment to the Record of Decision provides that institutional controls to prevent human exposure to contaminated groundwater be required as part of the site remediation.

1.04. The restrictions set forth in this Covenant are necessary to preclude potential future human exposure to 1,2-Dichloropropane.



ARTICLE II DEFINITIONS

2.01. Department. "Department" means the California Department of Toxic Substances Control and includes its successor agencies, if any.

2.02. U.S. EPA. "U.S. EPA" means the United States Environmental Protection Agency and includes its successor agencies, if any.

2.03. Owner. "Owner" means the Covenantor, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to, or an ownership interest in, all or any portion of the Property.

2.04. Occupant. "Occupant" means any Owner and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property.

2.05. CERCLA Lead Agency. "CERCLA Lead Agency" means the governmental entity having the designated lead responsibility to implement response action under the National Contingency Plan ("NCP"), 40 C.F.R. Part 300. U.S. EPA is the CERCLA Lead Agency at the time of the recording of this instrument.

2.06. Covenantor. "Covenantor" means the County of Del Norte, and includes its successors, if any.

2.07. Groundwater monitoring wells. "Groundwater monitoring wells" means the wells that are to remain on the Property as required by the Amendment to the Record of Decision. These wells include four groundwater monitoring wells, MW-26, MW-104, MW-105, and MW-107, and two former extraction wells, PW-101 and PW-201.

ARTICLE III GENERAL PROVISIONS

3.01. Restrictions to Run with the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "Restrictions"), subject to which the Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. Each and every Restriction: (a) runs with the land pursuant to HSC section 25355.5 and Civil Code section 1471; (b) inures to the benefit of and passes with each and every portion of the Property; (c) is for the benefit of, and enforceable by the Department; (d) is for the benefit of U.S. EPA as a third party beneficiary; and (e) is imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.

(2)

3.02. Binding upon Owners/Occupants. The Covenantor and all successive Owners and Occupants of the Property are expressly bound hereby for the benefit of the Department and U.S. EPA. Pursuant to HSC section 25355.5, this Covenant binds all owners and occupants of the Property, their heirs, successors, and assignees, and the agents, employees, and lessees of the owners, heirs, successors, and assignees.

3.03. Written Notice of the Presence of Hazardous Substances. At least 30 days prior to the sale, lease, sublease, rental, assignment, other transfer, or conveyance of any interest in the Property or any portion thereof, including fee interests, leasehold interests, and mortgage interests, the owner, lessor, assignor, or other transferor shall give the buyer, lessee, assignee, or other transferee written notice that a hazardous substance is located on or beneath the Property and notice of this Covenant that confers a right of access to the Property and that confers a right to enforce restrictions on the use of the Property and obligations associated with the Property as set forth in Article IV of this Covenant.

3.04. Incorporation into Deeds, Leases, and Subleases. The Restrictions set forth herein shall be incorporated by reference in each and all deeds, leases, subleases, rental agreements, assignments, or other transfers of all or any portion of the Property which are hereafter executed or renewed. Further, each Owner or Occupant shall include in any instrument conveying any interest in all or any portion of the Property, including but not limited to deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTION AND COVENANT TO RESTRICT USE OF PROPERTY, RECORDED IN THE PUBLIC LAND RECORDS ON __[DATE]__, IN BOOK ____, PAGE ____, IN FAVOR OF AND ENFORCEABLE BY THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL AND FOR THE BENEFIT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

3.05. Conveyance of Property. The Owner shall provide notice to the Department and to U.S. EPA not later than thirty (30) days before any conveyance or other transfer of any ownership interest in the Property (excluding mortgages, liens, and other non-possessory encumbrances). The Department and U.S. EPA shall not, by reason of this Covenant, have authority to approve, disapprove, or otherwise affect a proposed conveyance or transfer, except as otherwise provided by law, by administrative order, or by a specific provision of this Covenant.

ARTICLE IV RESTRICTIONS AND OBLIGATIONS

4.01. Prohibited Uses. Future use of the Property shall be restricted to industrial and/or commercial use only, and the Property shall not be used for any of the following purposes:



- (a) A residence, including but not limited to any mobile home or factory built housing, constructed or installed for use as residential human habitation.
- (b) A hospital for humans.
- (c) A public or private school for persons under 21 years of age.
- (d) A day care center for children.

4.02. Non-Interference with Groundwater Monitoring Wells and Contaminated Groundwater. Covenantor agrees:

- (a) Installation and/or pumping of any water-producing wells, including but not limited to water supply, irrigation, or private wells shall not be permitted on the Property.
- (b) Use of contaminated groundwater shall be prohibited.
- (c) Activities that may damage or compromise the integrity of groundwater monitoring wells shall not be permitted.
- (d) Groundwater monitoring wells shall be maintained and protected from physical damage.
- (e) Groundwater monitoring wells shall not be altered or destroyed without prior written approval by the Department.

4.03. Soil Management. Any contaminated soils brought to the surface by grading, excavation, trenching, or backfilling shall be managed in accordance with all applicable provisions of state and federal law, and will not be removed from the Property without following a Soil Management Plan approved by the Department.

4.04. Access for the Department. The Department shall have reasonable right of entry and access to the Property for inspection, monitoring, periodic reviews, and other activities consistent with the purposes of this Covenant as deemed necessary by the Department in order to protect the public health or safety or the environment. Nothing in this instrument shall limit or otherwise affect U.S. EPA's right of entry and access, or U.S. EPA's authority to take response actions under CERCLA, the National Contingency Plan, 40 C.F.R. Part 300 and its successor provisions, or federal law. Nothing in this instrument shall limit or otherwise affect the Department's right of entry and access under any statutory provision.

4.05. Access for Implementing Groundwater Monitoring. The entity or person responsible for implementing groundwater monitoring and maintenance of groundwater monitoring wells shall have reasonable right of entry and access to the Property for the purpose of implementing these monitoring and maintenance activities. Such right of entry and access shall continue until such time as the Department determines that such activities are no longer required.



ARTICLE V
ENFORCEMENT

5.01. Enforcement. The Department shall be entitled to enforce the terms of this instrument by resort to filing of an administrative, civil, or criminal action, as provided by law or equity, against the Owner(s) and/or Occupant(s). This Covenant shall be enforceable by the Department pursuant to Health and Safety Code, Division 20, Chapter 6.5, Article 8 (commencing with section 25180). Failure of the Covenantor, Owner, or Occupants to comply with any provision of Paragraphs 4.01 through 4.04 of this Covenant shall be grounds for the Department to require that the Covenantor, Owner or Occupants modify or remove, as appropriate, any improvements constructed or placed upon any portion of the Property in violation of the Restrictions. ("Improvements" herein shall include, but not be limited to, all buildings, roads, driveways, and paved parking areas). All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA, and violation of this Covenant shall be grounds for the Department or U.S. EPA to file civil or criminal actions, as provided by law or equity.

ARTICLE VI
VARIANCE, TERMINATION, AND TERM

6.01. Variance. Covenantor, or any other aggrieved person, may apply to the Department for a written variance from the provisions of this Covenant. Such application shall be made in accordance with HSC section 25233. Unless and until the State of California assumes CERCLA Lead Agency responsibility for Site operation and maintenance, no variance may be granted under this paragraph without prior review and prior concurrence with the variance by U.S. EPA. If requested by the Department or U.S. EPA, any approved variance shall be recorded in the land records by the person or entity granted the variance.

6.02. Termination. Covenantor, or any other aggrieved person, may apply to the Department for a termination of the Restrictions or other terms of this Covenant as they apply to all or any portion of the Property. Such application shall be made in accordance with HSC section 25234. Unless and until the State of California assumes CERCLA Lead Agency responsibility for groundwater monitoring, no termination may be granted under this Paragraph 6.02 without prior review and prior written concurrence of the termination by U.S. EPA.

6.03. Term. Unless ended in accordance with the Termination paragraph above, by law, or by the Department in the exercise of its discretion, after review and prior written concurrence by U.S. EPA, this Covenant shall continue in effect in perpetuity.

17

ARTICLE VII
MISCELLANEOUS

7.01. No Dedication or Taking. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof, to the general public or anyone else for any purpose whatsoever. Further, nothing set forth in this Covenant shall be construed to effect a taking under state or federal law.

7.02. Recordation. The Covenantor shall record this Covenant, with all referenced Exhibits, in the County of Del Norte within ten (10) days of the Covenantor's receipt of a fully executed original.

7.03. Notices. Whenever any person gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (1) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served, or (2) three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

To Owner: Director of Community Development
County of Del Norte
Crescent City, California 95531

County Counsel
County of Del Norte
981 H Street, Suite 220
Crescent City, California 95531

To DTSC: Barbara J. Cook, P.E., Chief
Department of Toxic Substances Control
Northern California-Coastal Cleanup Operations Branch
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

To U.S. EPA: Beatriz Bofill
Superfund Division (SFD-7-3)
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

and:

Bethany Dreyfus, Esq.
Office of Regional Counsel, ORC-3
U.S. EPA, Region IX
75 Hawthorne Street



San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.

In the event that the identity of any Owner or Occupant of the Property should change, the new Owner or Occupant shall notify the Department and U.S. EPA, within ten (10) days of becoming an Owner or Occupant of the Property. In the event that the address of any Owner or Occupant of the Property should change, the Owner or Occupant whose address changed shall notify the Department and U.S. EPA within ten (10) days of its change of address.

7.04. Partial Invalidity. If any portion of the Restrictions or other term set forth herein, or the application of it to any person or circumstance, is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant, or the application of such portions to persons or circumstances other than those to which it is found to be invalid, shall remain in full force and effect as if such portion found invalid had not been included herein.

7.05. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed to effect the purpose of this instrument and the policy and purpose of CERCLA. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

7.06. Third Party Beneficiary. U.S. EPA's rights as a third party beneficiary of this Covenant shall be construed pursuant to principles of contract law under the statutory and common law of the State of California

7.07. Statutory References. All statutory references include successor provisions.

IN WITNESS WHEREOF, the Parties execute this Covenant.

Covenantor: County of Del Norte

By: Chuck Blackburn

Chuck Blackburn
Chair of the Del Norte County Board of Supervisors

Date: 4/17/2002

(Handwritten initials)

Department of Toxic Substances Control

By: _____

Date: _____

Barbara J. Cook, P.E., Chief
Northern California Coastal Cleanup Operations Branch

STATE OF CALIFORNIA

COUNTY OF DEL NORTE

On this 17th day of APRIL, in the year 2002,

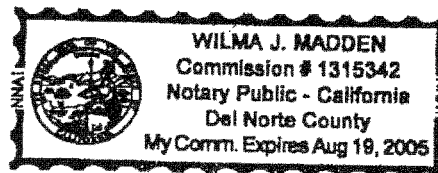
before me WILMA-J. MADDEN, NOTARY PUBLIC, personally appeared
CHUCK BLACKBURN

personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is /are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Wilma J. Madden

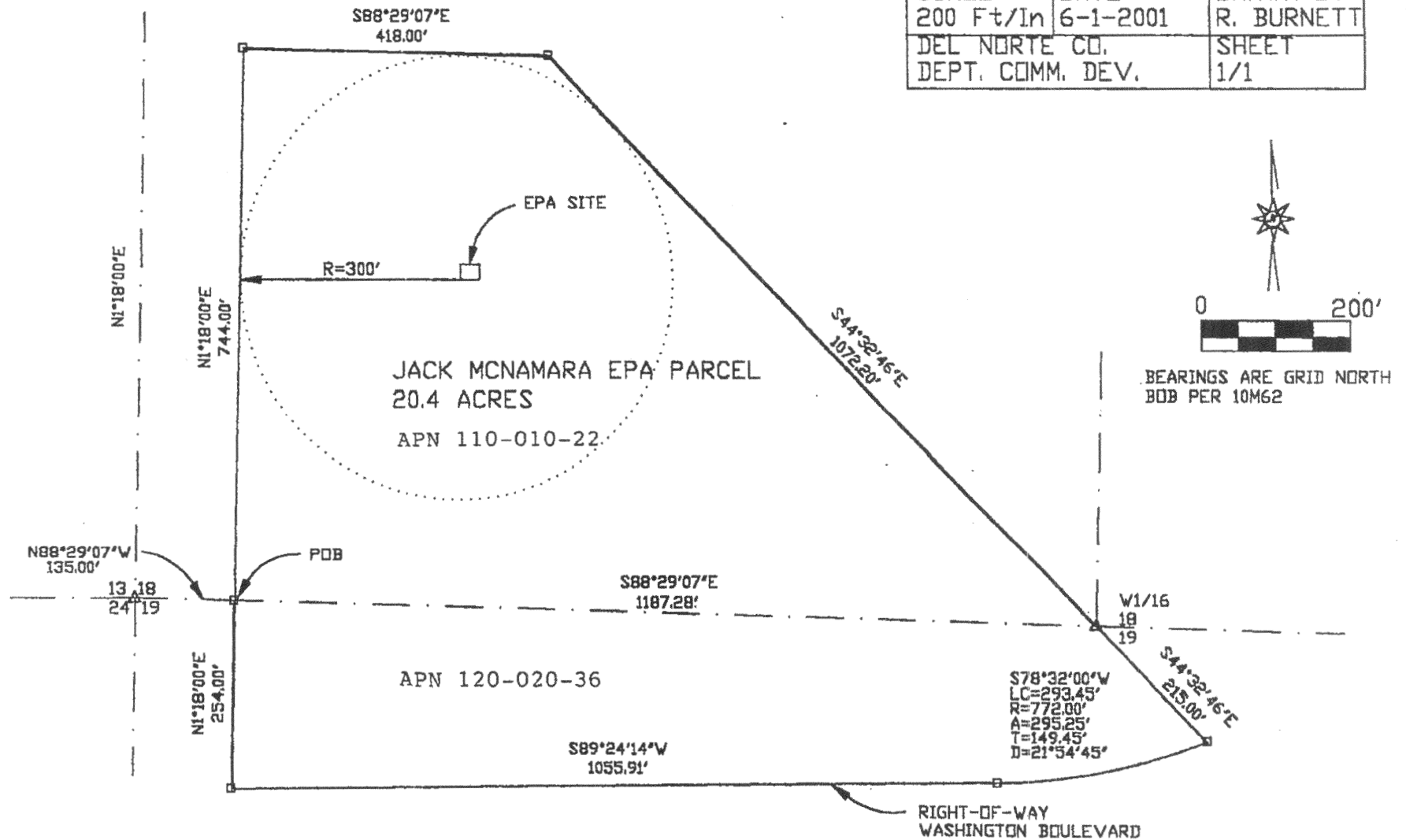


55

EXHIBIT A

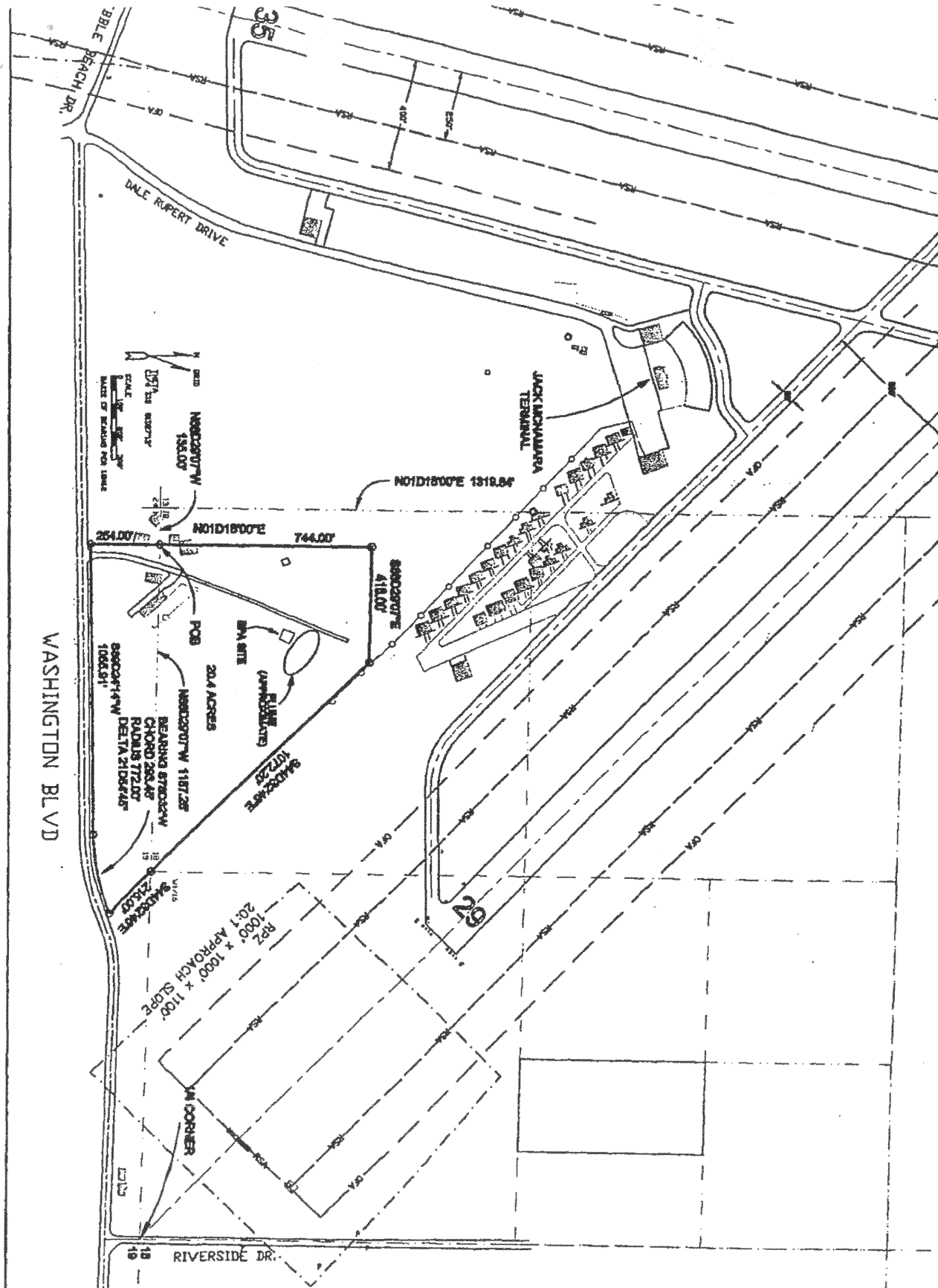
10


JACK MCNAMARA EPA PARCEL		
ARPT_EPA_TRV.DWG		
SCALE	DATE	DRAWN BY
200 Ft/In	6-1-2001	R. BURNETT
DEL NORTE CO.		SHEET
DEPT. COMM. DEV.		1/1



X (Legal Description: EPA_GRID 1)
 The True Point of Beginning bears S88°29'07"E 135.00 Feet from the SECTION CORNER 13/18/19/24; thence N1°18'00"E for 744.00 Feet; thence S88°29'07"E for 418.00 Feet; thence S44°32'46"E for 1072.20 Feet to the V1/16 SECTION 18/19; thence S44°32'46"E for 215.00 Feet to the approximate northerly right-of-way of Washington Boulevard; thence along said right-of-way, 772.00 Feet radius curve to the Right (chord bears S78°32'00"W 293.45 Feet); 295.25 Feet; thence S89°24'14"W for 1055.91 Feet along the approximate northerly right-of-way to a point S1°18'00"W for 254.00 Feet from the True Point of Beginning.

Note: Said legal description describes the property in question as well as adjoining property to the South X



 <p>MCMNAMARA AIRFIELD RESTRICTED USE PARCEL EPA AGREEMENT</p>	<p>County of Del Norte Engineering & Surveying Division 981 "H" STREET, SUITE 110 Crescent City CA 95531 Ph. (707) 484-7229 Fax 485-0340</p>	<table border="1"> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>		NO.	REVISION	BY	DATE																												
		NO.	REVISION	BY	DATE																														
<p>Approved By: _____ Checked By: _____ Drawn By: _____ Date: _____</p>																																			

Doc # 3024191
Page 1 of 14
Date: 7/31/2002 03:17P
Filed by: GENERAL PUBLIC
Filed & Recorded in Official Records
of COUNTY OF DEL NORTE
VICKI L. FRAZIER
COUNTY CLERK-RECORDER
Fee: \$8.00

RECORDED AT THE REQUEST OF:

County of Del Norte

WHEN RECORDED, MAIL TO:

Barbara J. Cook, P.E., Chief
Department of Toxic Substances Control
Northern California – Coastal Cleanup Operations Branch
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

No fee for recording per Government Code §27283

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVENANT TO RESTRICT USE OF PROPERTY
(Health and Safety Code section 25355.5)

ENVIRONMENTAL RESTRICTION (Civil Code section 1471(c))

(Re: Del Norte Pesticide Storage Area @ 2650 Washington Boulevard,
Crescent City, Del Norte County, California, Parcel #'s 120-020-36)

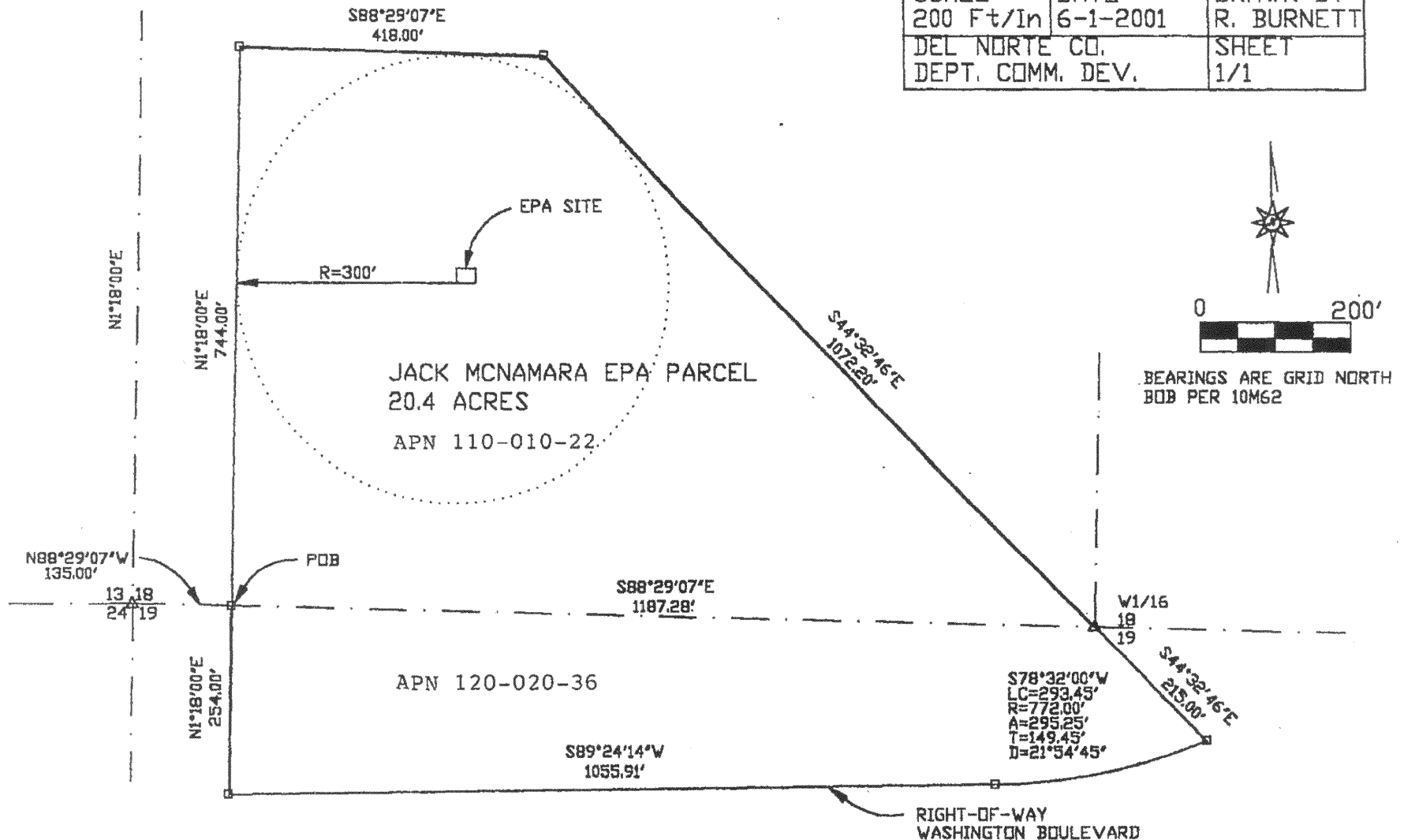
DOCUMENT TITLE

Document requires re-recording due to the lack of signature by Barbara J. Cook, prior to the April 17, 2002 original date of recording. Ms. Cook did not execute document until May 6, 2002.

Legal

(18)

JACK MCNAMARA EPA PARCEL		
ARPT_EPA_TRV.DWG		
SCALE	DATE	DRAWN BY
200 Ft/In	6-1-2001	R. BURNETT
DEL NORTE CO.		SHEET
DEPT. COMM. DEV.		1/1



X (Legal Description EPA_GRID 1)
 The True Point of Beginning bears S88°29'07"E 135.000 Feet from the SECTION CORNER 13/18/19/24; thence N1°18'00"E for 744.000 Feet; thence S88°29'07"E for 418.000 Feet; thence S44°32'46"E for 1072.202 Feet to the W1/16 SECTION 18/19; thence S44°32'46"E for 215.000 Feet to the approximate northerly right-of-way of Washington Boulevard; thence along said right-of-way, 772.000 Feet radius curve to the Right (chord bears S78°32'00"W 293.450 Feet 295.246 Feet); thence S89°24'14"W for 1055.911 Feet along the approximate northerly right-of-way to a point S1°18'00"W for 254.000 Feet from the True Point of Beginning.

Note: Said legal description describes the property in question as well as adjoining property to the South X

Doc # 20071592
 Page 1 of 14
 Date: 3/26/2007 03:47P
 Filed by: DEL NORTE CO BOS
 Filed & Recorded in Official Records
 of COUNTY OF DEL NORTE
 VICKI L. FRAZIER
 COUNTY CLERK-RECORDER
 Fee: \$0.00

RECORDING REQUESTED BY:)
 County of Del Norte)

WHEN RECORDED, MAIL TO:)

Barbara J. Cook, P.E., Chief)
 Department of Toxic Substances Control)
 Northern California - Coastal)
 Cleanup Operations Branch)
 700 Heinz Avenue, Suite 200)
 Berkeley, California 94710-2721)

No Fee Per Gov't Code 27383

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COVENANT TO RESTRICT USE OF PROPERTY
 (Health and Safety Code section 25355.5)

ENVIRONMENTAL RESTRICTION (Civil Code section 1471)

(Re: Del Norte Pesticide Storage Area @ 2650 Washington Boulevard, Crescent City,
 Del Norte County, California, Parcel #s: 110-010-22 and 120-020-36)

This Covenant and Agreement ("Covenant") is made by and between the County of Del Norte, a county of the State of California (the "Covenantor"), the current owner of property situated near the community of Crescent City, County of Del Norte, State of California, described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein by this reference (the "Property"), and the California Department of Toxic Substances Control ("the Department"). Pursuant to Civil Code section 1471, the Department has determined that this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of a hazardous material as defined in Health and Safety Code ("HSC") section 25260. The Covenantor and the Department, collectively referred to as the "Parties", hereby agree, pursuant to Civil Code section 1471 and HSC section 25355.5 that the use of the Property be restricted as set forth in this Covenant. The Parties further intend that the provisions of this Covenant also be for the benefit of the U.S. Environmental Protection Agency ("U.S. EPA") as a third party beneficiary.

DN CO AGMT #

2007-029

ARTICLE I
STATEMENT OF FACTS

1.01. The Property is owned by the County of Del Norte and is located at 2650 Washington Boulevard, Crescent City, Del Norte County, California and comprises approximately 20.4 acres. The Property is more particularly described in Exhibit "A" and depicted in Exhibit "B". An area overlying groundwater contaminated by 1,2-Dichloropropane is within the Property. The Property is more specifically described as Del Norte County Assessor's Parcel Numbers: 110-010-22 and 120-020-36.

1.02. A hazardous substance, as defined in HSC section 25316; section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601(14); and 40 Code of Federal Regulations ("C.F.R.") §§ 261.3 and 302.4 remains on portions of the Property.

1.03. U.S. EPA has been remediating the Property. The Property is part of the Del Norte County Pesticide Storage Area National Priorities List (NPL) site (Site ID No. 0900923; CERCLIS: CAD000626176) and is being remediated pursuant to a Record of Decision and an Amendment to the Record of Decision pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), 42 U.S.C. Sections 9601 et seq., and with the National Contingency Plan (40 C.F.R. Part 300), administered by the U.S. EPA. The U.S. EPA circulated the Remedial Investigation Report, Feasibility Study and Proposed Plan for public review and comment. The Record of Decision was approved by U.S. EPA on September 30, 1985 and identified excavation and off-site disposal of contaminated soil and extraction and treatment of contaminated groundwater as primary components of the remedy. Contaminated soil has been remediated as required by the Record of Decision. A groundwater extraction and treatment system operated continuously from April 1990 to December 1994. There were two shutdowns of approximately six-months duration in 1995 and 1996 and the groundwater and extraction system was permanently shut down in October 1997. The purpose of the shutdowns was to determine the effect on mass removal and contaminant concentrations. U.S. EPA ultimately concluded that the observed rate of contaminant reduction was the same whether or not the groundwater extraction and treatment system was operating. This conclusion lead to U.S. EPA approving the Amendment to the Record of Decision on August 29, 2000 that changed the groundwater part of the remedy from extraction and treatment to containment through natural attenuation with semi-annual sampling of selected groundwater monitoring wells. Semi-annual groundwater sampling performed since system operation was discontinued indicates that concentrations of 1, 2-Dichloropropane are declining slowly. Because 1,2-Dichloropropane, a hazardous substance, as defined in HSC section 25316 and a hazardous material as defined in HSC section 25260, will continue to remain in groundwater under portions of the Property, the Amendment to the Record of Decision provides that institutional controls to prevent human exposure to contaminated groundwater be required as part of the site remediation.

1.04. A prior environmental restriction was recorded on the Property as Document number 20024191 on July 31, 2002. However, that document references only the APN covering the southern portion of the Property, APN 120-020-36, and does not reference APN 110-010-22, as was intended. That document used the same graphical depiction exhibit as this document; however, the legal description set forth in metes and bounds on that exhibit, describing the 20.4 acres, was inaccurate and incomplete. Therefore, a new metes and bounds description for the property visually depicted in Exhibit A of Document 20024191 has been prepared and is used in this covenant as the new Exhibit A. The graphic depiction included in the former Exhibit A of Document 20024191 is now used as Exhibit B for this document but this time without the erroneous metes and bounds description. It was the intent of all the parties to have the terms of that restriction apply to the full 20.4 acres, as depicted in the Exhibit B of this document, representing both APN 110-010-22 and APN 120-020-36. However, parcel APN 110-010-22 was not listed in the Environmental Restriction, although it was depicted on the exhibit. Therefore, the Department and the Covenantor, finding that the need for such Environmental Restriction still remains, do hereby execute this revised Environmental Restriction for the Property (APNs 110-010-22 and 120-20-36). Further, Covenantor, certifies that since the recording of the prior covenant, APN 110-010-22 has been managed in a way that would not have violated the terms of the covenant recorded on July 31, 2002, and that Covenantor has not conveyed away any interest in APN 110-010-22 that prevents the Covenantor from entering into this Environmental Restriction, and thereby binding all right title and interests of the Property. Further, Covenantor certifies that it has taken no action that would preclude or in any way hinder the Department or U.S. EPA's enforcement of this Environmental Restriction or the one recorded July 31, 2002.

1.05. The restrictions set forth in this Covenant are necessary to preclude potential future human exposure to 1,2-Dichloropropane.

ARTICLE II DEFINITIONS

2.01. Department. "Department" means the California Department of Toxic Substances Control and includes its successor agencies, if any.

2.02. U.S. EPA. "U.S. EPA" means the United States Environmental Protection Agency and includes its successor agencies, if any.

2.03 Owner. "Owner" means the Covenantor, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to, or an ownership interest in, all or any portion of the Property.

2.04. Occupant. "Occupant" means any Owner and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property.

2.05. CERCLA Lead Agency. "CERCLA Lead Agency" means the governmental entity having the designated lead responsibility to implement response action under the National Contingency Plan ("NCP"), 40 C.F.R. Part 300. U.S. EPA is the CERCLA Lead Agency at the time of the recording of this instrument.

2.06 Covenantor. "Covenantor" means the County of Del Norte, and includes its successors, if any.

2.07 Groundwater monitoring wells "Groundwater monitoring wells" means the wells that are to remain on the Property as required by the Amendment to the Record of Decision. These wells include four groundwater monitoring wells, MW-26, MW-104, MW-105, and MW-107, and two former extraction wells, PW-101 and PW-201.

ARTICLE III GENERAL PROVISIONS

3.01. Restrictions to Run with the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "Restrictions"), subject to which the Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. Each and every Restriction: (a) runs with the land pursuant to HSC section 25355.5 and Civil Code section 1471; (b) inures to the benefit of and passes with each and every portion of the Property; (c) is for the benefit of, and enforceable by the Department; (d) is for the benefit of U.S. EPA as a third party beneficiary; and (e) is imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.

3.02. Binding upon Owners/Occupants. The Covenantor and all successive Owners and Occupants of the Property are expressly bound hereby for the benefit of the Department and U.S. EPA. Pursuant to HSC section 25355.5, this Covenant binds all owners and occupants of the Property, their heirs, successors, and assignees, and the agents, employees, and lessees of the owners, heirs, successors, and assignees.

3.03. Written Notice of the Presence of Hazardous Substances. At least 30 days prior to the sale, lease, sublease, rental, assignment, other transfer, or conveyance of any interest in the Property or any portion thereof, including fee interests, leasehold interests, and mortgage interests, the owner, lessor, assignor, or other transferor shall give the buyer, lessee, assignee, or other transferee written notice that a hazardous substance is located on or beneath the Property and notice of this Covenant that confers a right of access to the Property and that confers a right to enforce restrictions on the use of the Property and obligations associated with the Property as set forth in Article IV of this Covenant.

3.04. Incorporation into Deeds, Leases, and Subleases. The Restrictions set forth herein shall be incorporated by reference in each and all deeds, leases, subleases, rental agreements, assignments, or other transfers of all or any portion of the Property which are hereafter executed or renewed. Further, each Owner or Occupant shall include in any instrument conveying any interest in all or any portion of the Property,

including but not limited to deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTION AND COVENANT TO RESTRICT USE OF PROPERTY, RECORDED IN THE PUBLIC LAND RECORDS ON __[DATE]__, IN BOOK ____, PAGE ____, IN FAVOR OF AND ENFORCEABLE BY THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL AND FOR THE BENEFIT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

3.05. Conveyance of Property. The Owner shall provide notice to the Department and to U.S. EPA not later than thirty (30) days before any conveyance or other transfer of any ownership interest in the Property (excluding mortgages, liens, and other non-possessory encumbrances). The Department and U.S. EPA shall not, by reason of this Covenant, have authority to approve, disapprove, or otherwise affect a proposed conveyance or transfer, except as otherwise provided by law, by administrative order, or by a specific provision of this Covenant.

ARTICLE IV RESTRICTIONS AND OBLIGATIONS

4.01. Prohibited Uses. Future use of the Property shall be restricted to industrial and/or commercial use only, and the Property shall not be used for any of the following purposes:

- (a) A residence, including but not limited to any mobile home or factory built housing, constructed or installed for use as residential human habitation.
- (b) A hospital for humans.
- (c) A public or private school for persons under 21 years of age.
- (d) A day care center for children.

4.02. Non-Interference with Groundwater Monitoring Wells and Contaminated Groundwater. Covenantor agrees:

- (a) Installation and/or pumping of any water-producing wells, including but not limited to water supply, irrigation, or private wells shall not be permitted on the Property.
- (b) Use of contaminated groundwater shall be prohibited.
- (c) Activities that may damage or compromise the integrity of groundwater monitoring wells shall not be permitted.
- (d) Groundwater monitoring wells shall be maintained and protected from physical damage.
- (e) Groundwater monitoring wells shall not be altered or destroyed without prior written approval by the Department.

4.03. Soil Management. Any contaminated soils brought to the surface by grading, excavation, trenching, or backfilling shall be managed in accordance with all

applicable provisions of state and federal law, and will not be removed from the Property without following a Soil Management Plan approved by the Department.

4.04. Access for the Department. The Department shall have reasonable right of entry and access to the Property for inspection, monitoring, periodic reviews, and other activities consistent with the purposes of this Covenant as deemed necessary by the Department in order to protect the public health or safety or the environment. Nothing in this instrument shall limit or otherwise affect U.S. EPA's right of entry and access, or U.S. EPA's authority to take response actions under CERCLA, the National Contingency Plan, 40 C.F.R. Part 300 and its successor provisions, or federal law. Nothing in this instrument shall limit or otherwise affect the Department's right of entry and access under any statutory provision.

4.05. Access for Implementing Groundwater Monitoring. The entity or person responsible for implementing groundwater monitoring and maintenance of groundwater monitoring wells shall have reasonable right of entry and access to the Property for the purpose of implementing these monitoring and maintenance activities. Such right of entry and access shall continue until such time as the Department determines that such activities are no longer required.

ARTICLE V ENFORCEMENT

5.01. Enforcement. The Department shall be entitled to enforce the terms of this instrument by resort to filing of an administrative, civil, or criminal action, as provided by law or equity, against the Owner(s) and/or Occupant(s). This Covenant shall be enforceable by the Department pursuant to Health and Safety Code, Division 20, Chapter 6.5, Article 8 (commencing with section 25180). Failure of the Covenantor, Owner, or Occupants to comply with any provision of Paragraphs 4.01 through 4.04 of this Covenant shall be grounds for the Department to require that the Covenantor, Owner or Occupants modify or remove, as appropriate, any improvements constructed or placed upon any portion of the Property in violation of the Restrictions. ("Improvements" herein shall include, but not be limited to, all buildings, roads, driveways, and paved parking areas). All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA, and violation of this Covenant shall be grounds for the Department or U.S. EPA to file civil or criminal actions, as provided by law or equity.

ARTICLE VI VARIANCE, TERMINATION, AND TERM

6.01. Variance. Covenantor, or any other aggrieved person, may apply to the Department for a written variance from the provisions of this Covenant. Such application shall be made in accordance with HSC section 25233. Unless and until the State of California assumes CERCLA Lead Agency responsibility for Site operation and maintenance, no variance may be granted under this paragraph without prior review and prior concurrence with the variance by U.S. EPA. If requested by the Department

or U.S. EPA, any approved variance shall be recorded in the land records by the person or entity granted the variance.

6.02. Termination. Covenantor, or any other aggrieved person, may apply to the Department for a termination of the Restrictions or other terms of this Covenant as they apply to all or any portion of the Property. Such application shall be made in accordance with HSC section 25234. Unless and until the State of California assumes CERCLA Lead Agency responsibility for groundwater monitoring, no termination may be granted under this Paragraph 6.02 without prior review and prior written concurrence of the termination by U.S. EPA.

6.03. Term. Unless ended in accordance with the Termination paragraph above, by law, or by the Department in the exercise of its discretion, after review and prior written concurrence by U.S. EPA, this Covenant shall continue in effect in perpetuity.

ARTICLE VII MISCELLANEOUS

7.01. No Dedication or Taking. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof, to the general public or anyone else for any purpose whatsoever. Further, nothing set forth in this Covenant shall be construed to effect a taking under state or federal law.

7.02. Recordation. The Covenantor shall record this Covenant, with all referenced Exhibits, in the County of Del Norte within ten (10) days of the Covenantor's receipt of a fully executed original.

7.03. Notices. Whenever any person gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (1) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served, or (2) three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

To Owner: Director of Community Development
 County of Del Norte
 Crescent City, California 95531

County Counsel
County of Del Norte
981 H Street, Suite 220
Crescent City, California 95531

To DTSC: Barbara J. Cook, P.E., Chief
 Department of Toxic Substances Control
 Northern California-Coastal Cleanup Operations Branch

700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

To U.S. EPA: Kevin Mayer
Superfund Division (SFD-7-3)
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

and:

Bethany Dreyfus, Esq.
Office of Regional Counsel, ORC-3
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, California 94105-3901
Re: Del County Pesticide Storage Area Superfund Site

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.

In the event that the identity of any Owner or Occupant of the Property should change, the new Owner or Occupant shall notify the Department and U.S. EPA, within ten (10) days of becoming an Owner or Occupant of the Property. In the event that the address of any Owner or Occupant of the Property should change, the Owner or Occupant whose address changed shall notify the Department and U.S. EPA within ten (10) days of its change of address.

7.04. Partial Invalidity. If any portion of the Restrictions or other term set forth herein, or the application of it to any person or circumstance, is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant, or the application of such portions to persons or circumstances other than those to which it is found to be invalid, shall remain in full force and effect as if such portion found invalid had not been included herein.

7.05. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed to effect the purpose of this instrument and the policy and purpose of CERCLA. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

7.06. Third Party Beneficiary. U.S. EPA's rights as a third party beneficiary of this Covenant shall be construed pursuant to principles of contract law under the statutory and common law of the State of California

7.07. Statutory References. All statutory references include successor provisions.

IN WITNESS WHEREOF, the Parties execute this Covenant.

Covenantor: County of Del Norte

By: _____

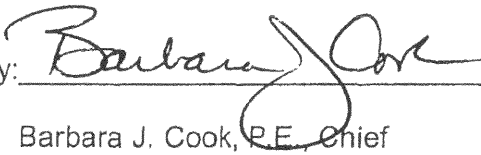


Date: 2/27/2007

Chair of the Del Norte County Board of Supervisors

Department of Toxic Substances Control

By: _____



Date: 3/15/2007

Barbara J. Cook, P.E. Chief
Northern California Coastal Cleanup Operations Branch

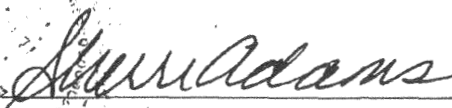
State of California

County of Del Norte

On 2/27/2007 before me, Sherri Adams, Clerk of the Board, County of Del Norte personally appeared David Finigan, Chair, Board of Supervisors, County of Del Norte the person(s) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature



(Seal)

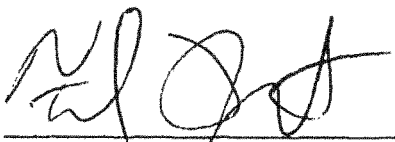
State of California

County of Alameda

On 3/17/07 before me, **Frank Piscitelli, Notary Public**
appeared BARBARA JEAN COOK

personally known to me (or proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (Seal)

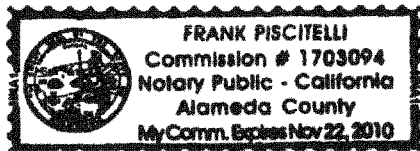


EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY
APN 110-010-22 AND APN 120-020-36

REAL PROPERTY SITUATED IN THE COUNTY OF DEL NORTE, STATE OF CALIFORNIA, BEING A PORTION OF SECTIONS 18 AND 19 TOWNSHIP 16 NORTH, RANGE 1 WEST HUMBOLDT BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE FROM SAID SECTION CORNER ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 18 SOUTH 88°29'07" EAST 135.00' TO THE POINT OF BEGINNING;

THENCE NORTH 1°18'00" EAST 744.00 FEET SAID COURSE HEREINAFTER REFERRED TO AS COURSE "A", SAID WEST LINE BEING PARALLEL TO THE WESTERLY LINE OF THE SOUTHWEST ¼ OF SECTION 18;

THENCE SOUTH 88°29'07" EAST 418.00 FEET;

THENCE SOUTH 44°32'46" EAST 1072.20 FEET TO THE WEST 1/16 CORNER OF SECTIONS 18 AND 19;

THENCE SOUTH 44°32'46" EAST 215.00 FEET TO A POINT LYING ON THE NORTHERN RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 772.00 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH 22°30'31" EAST, THENCE SOUTHWESTERLY ALONG SAID NORTHERN RIGHT-OF-WAY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 21°54'45" AN ARC LENGTH OF 295.25 FEET;

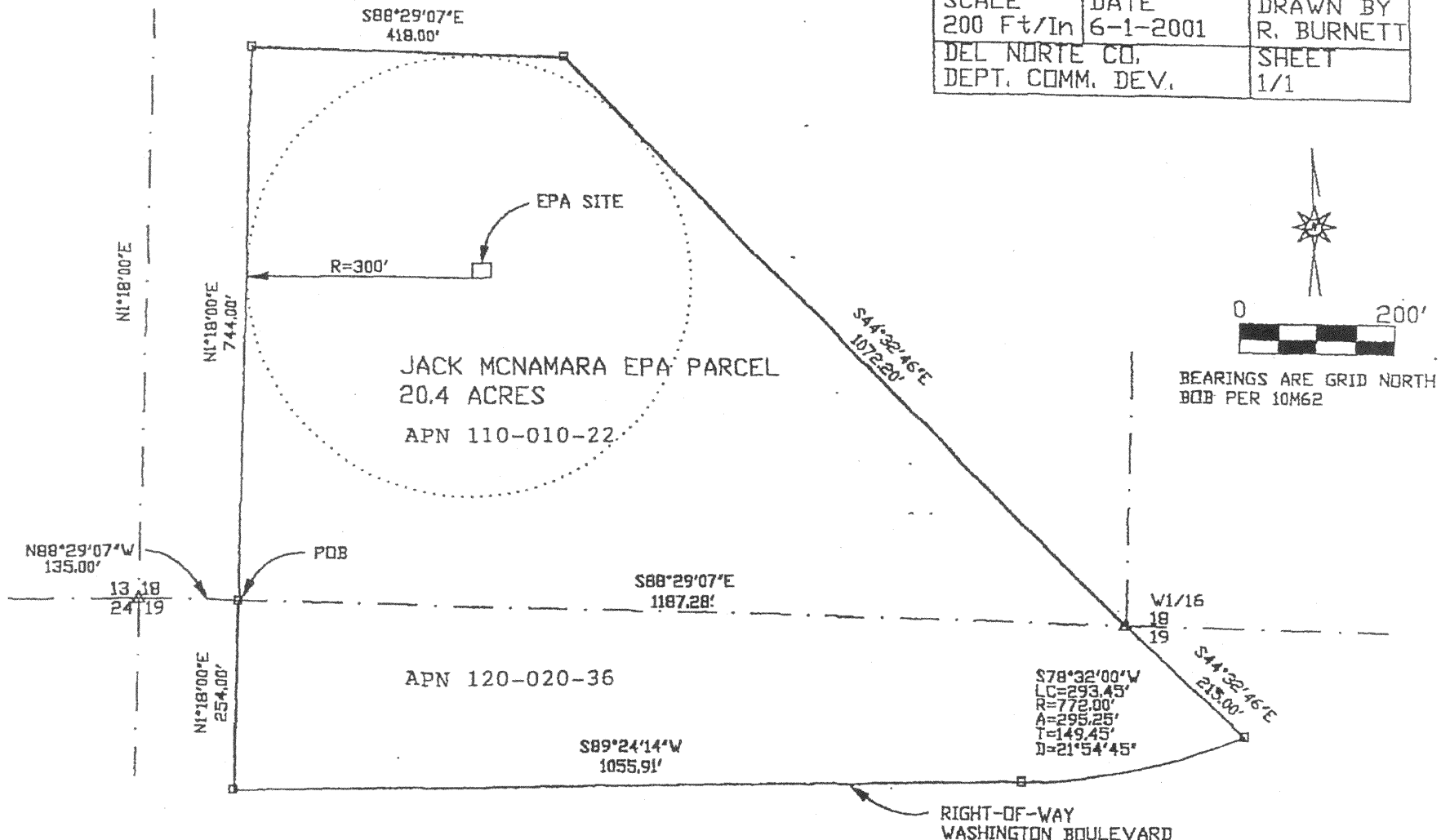
THENCE TANGENT TO LAST SAID COURSE AND CONTINUING ALONG THE NORTHERN RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD SOUTH 89°24'14" WEST 1055.91 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF SAID COURSE "A";

THENCE ALONG SAID SOUTHERLY PROJECTION NORTH 1°18'00" EAST 254.00 FEET TO THE POINT OF BEGINNING.

Exhibit B Depiction of Property in Legal Description

DOC # 20071592 Page 13 of 14

JACK MCNAMARA EPA PARCEL		
ARPT EPA TRV.DWG		
SCALE	DATE	DRAWN BY
200 Ft/In	6-1-2001	R. BURNETT
DEL NORTE CO.		SHEET
DEPT. COMM. DEV.		1/1



[[Legal Description: EPA_GRID]]

The True Point of Beginning bears S88°29'07"E 135.00 Feet from the SECTION CORNER 13/18/19/24; thence N1°18'00"E for 744.00 Feet; thence S88°29'07"E for 418.00 Feet; thence S44°32'46"E for 1072.20 Feet to the V1/16 SECTION 18/19; thence S44°32'46"E for 215.00 Feet to the approximate northerly right-of-way of Washington Boulevard; thence along said right-of-way, 772.00 Feet radius curve to the Right (chord bears S78°32'00"W 293.45 Feet); thence S89°24'14"W for 1055.91 Feet along the approximate northerly right-of-way to a point S1°18'00"W for 254.00 Feet from the True Point of Beginning.

REVIEW OF TITLE EXCEPTIONS
DEL NORTE COUNTY PESTICIDE STORAGE AREA
FOR COMPLIANCE WITH ENVIRONMENTAL RESTRICTION COVENANT

Date of Review: July 8, 2010

Effective Date of Title Report: June 19, 2010

Parcel No.& Current Owner's Name	Special Title Exceptions Schedule B#:	Recording Date of Instrument	Rights Granted	Impact to Covenant Dated March 20, 2007
110-010-22& 110-010-26 Del Norte County	3. Covenant to Restrict Use of Property and Environmental Restriction	April 17, 2002 Re-recorded on July 31, 2002	Restriction on use of land for a resident, school, hospital and daycare; restrict use of water wells, groundwater and soil management	N/A
110-010-22& 110-010-26 Del Norte County	4. Covenant to Restrict Use of Property and Environmental Restriction	March 20, 2007	Restriction on use of land for a resident, school, hospital and daycare; restrict use of water wells, groundwater and soil management	N/A